

H. As. 2134 (2

AN HISTORICAL AND STATISTICAL
ACCOUNT
OF
NEW SOUTH WALES

AS A PENAL SETTLEMENT
AND AS A CRISTIAN COLONY.
BY JOHN DUNMORE LASC, D.D.

CHURCH MINISTER OF THE CHURCH OF ST. JOHN, PARISH OF THE
AUSTRALIAN PENITENTIARY, SYDNEY, NEW SOUTH WALES.

Published by J. and W. L. LASC, 11, Market Street, Sydney, N.S.W.

SECOND EDITION.

WITH AN ADDITIONAL CHAPTER ON THE HISTORY OF THE

<36616414310012 S

<36616414310012

Bayer. Staatsbibliothek

E, B

+

AN HISTORICAL AND STATISTICAL
ACCOUNT
OF
NEW SOUTH WALES,
BOTH
AS A PENAL SETTLEMENT
AND AS A BRITISH COLONY.

BY JOHN DUNMORE LANG, D.D.,

SENIOR MINISTER OF THE SCOTS CHURCH, AND PRINCIPAL OF THE
AUSTRALIAN COLLEGE, SYDNEY, NEW SOUTH WALES.

"We have seen the land, and, behold, it is very good."—JUDGES xviii. 9.

SECOND EDITION,
WITH NUMEROUS ADDITIONS, BRINGING DOWN THE HISTORY OF THE
COLONY TO THE CLOSE OF 1836.

IN TWO VOLUMES.

VOL. II.

LONDON:

A. J. VALPY, RED LION COURT, FLEET STREET:
BELL AND BRADFUTE, EDINBURGH.

1837.

Wb/66/316

AN HISTORICAL AND STATISTICAL

ACCOUNT

NEW SOUTH WALES

BY JOHN BURNETT

AND AS A HISTORY OF THE

BY JOHN BURNETT



SECOND EDITION

WITH A HISTORY OF THE COLONY OF NEW SOUTH WALES

IN TWO VOLUMES

VOL. II.

LONDON

PRINTED BY A. J. VALPY,

RED LION COURT, FLEET STREET.

CONTENTS
OF
THE SECOND VOLUME.

CHAPTER I.

	PAGE
On the distribution, employment, condition, and character of the convict population	1

CHAPTER II.

Journey over-land to Hunter's River, with a description of an Australian farm	60
--	----

CHAPTER III.

Notices of the settlements of Bathurst and Illawarra . . .	102
--	-----

CHAPTER IV.

Geological features of the colony, with remarks on its climate and diseases	142
--	-----

CHAPTER V.

Statement of the advantages which New South Wales holds forth to various classes of emigrants	164
--	-----

CHAPTER VI.

PAGE

Enumeration and description of the localities in New South Wales, which are at present open to emigration from the mother country	194
---	-----

CHAPTER VII.

Estimate of the state of morals and religion in the colony, with a view of the existing religious establishments and denominations in New South Wales	216
---	-----

CHAPTER VIII.

View of the state of education in the colony, with an account of the establishment of the Australian college	315
--	-----

CHAPTER IX.

The Colonial Press	380
------------------------------	-----

CHAPTER X.

Emigration ; or, the value and importance of the colony of New South Wales to Great Britain as a practicable and inexpensive outlet for her surplus population	448
--	-----

APPENDIX	466
--------------------	-----

AN
HISTORICAL AND STATISTICAL ACCOUNT
OF
NEW SOUTH WALES.

CHAPTER I.

ON THE DISTRIBUTION, EMPLOYMENT, CONDITION,
AND CHARACTER OF THE CONVICT-POPULATION.

Exilium non supplicium est, sed perfugium portusque supplicii.

CICERO PRO CÆCIN. c. 34.

“ Banishment was not decreed as a species of punishment by the laws of Rome, but was rather a state of refuge and an asylum, of which the law, in certain cases, permitted the criminal to avail himself.”

For some time after the original establishment of the colony of New South Wales in the year 1788, the whole of the convict-population of the colony, with the exception of those individuals who were retained as house-servants by the Government officers of the settlement, were employed on account of the Government, either in agriculture or in the public works. In process

of time, however, a few families of free emigrants arrived and settled in the colony ; and many individuals who had arrived as convicts became free by servitude, and established themselves advantageously, either as agriculturists in the country, or as mechanics or shopkeepers in the towns. In this state of things, it became a usual practice, on the part of the colonial government, to assign one or more convicts to private persons who were able to maintain and employ them either in Sydney or in the country ; to relieve the government of the cost of their maintenance on the one hand, and to assist deserving individuals to whom their services were of value on the other. The convicts so assigned were employed variously according to the pursuits or occupation of the master ; some as house-servants, some as shopmen, some as mechanics, but the great majority as farm-servants and stock-keepers : and to incite the convict or prison population of the colony to good conduct, persons of that class, who had conducted themselves well, but were not entitled to any indulgence from the Government, were occasionally favoured with tickets of exemption from Government-labour, and allowed to employ themselves for the period specified in the ticket for their own advantage ; while persons of the same class who had served a certain number of years, without being guilty of any fresh misdemeanour, were allowed tickets of leave, which implied a permanent indulgence of a similar kind during good conduct. The ticket of leave was procurable, according to the colonial regulations, by a convict for seven years at the expiration of four years ; by a

convict for fourteen years, at the expiration of six years ; and by a convict for life, at the expiration of eight years. The Governor was empowered, moreover, to grant both conditional and absolute pardons whenever he deemed it expedient to do so ; either of which, as well as a certificate of freedom, implying that the period for which the individual had been transported had expired, was supposed to restore him to all the rights and privileges of a free subject in the colony. That such a system of management was well calculated to promote the grand object of Government, in the establishment of the colony of New South Wales—I mean the reformation of its convict-population—the reader will doubtless acknowledge ; and that it actually had such an effect in many instances I am happy to bear testimony. It is only to be regretted that a counteracting influence, arising both from the measures of Government and the general procedure of its officers, was too often and too successfully exerted in the modes I have already particularized ; and that the private interests and the passions of individuals, from whom better things might have been expected, were supposed to be linked with the perpetuation and extension of the vice of the colony, rather than with its gradual advancement in the practice of virtue.

Till the year 1821, when the current of free emigration began to set in strongly for New South Wales, the number of free persons in the territory was comparatively small, and the great majority of the convict-population had consequently to be employed variously in the service of Government. I have already had oc-

casion to show that this was decidedly a most unfortunate state of things for the colony ; and that the health and vigour of its body politic would have been promoted in a great variety of ways, had the system so early and so strongly recommended by Governor Phillip been duly followed up, or, in other words, had there been a much earlier influx and a much greater amount of free emigration.

The talent for managing masses of men is unquestionably one of the rarest gifts of the Creator ; and the case is surely by no means altered, nor the difficulties it implies in any way diminished, when the persons to be so managed are in a state of thorough depravity. In short, it was a matter of absolute necessity that the government of the colony, being thus deprived of the stay and support of a numerous free population, should have been entrusted, in the earlier stages of its existence, to men who really possessed this talent and who were known to do so ; for the command of the troops that were required to protect the settlement was a matter of very inferior consideration. Great mistakes, however, were committed in this respect ; and the management of the convict-population of the colony was entrusted, in many instances, to men who had neither the wisdom nor the virtue which a situation of so much real difficulty imperatively required. The consequences, as might well be anticipated, were unfavourable in the highest degree to the morals of the settlement.

I have already particularized the modes in which the numerous convicts in the service of Government, up to the close of Governor Macquarie's administration,

were distributed. A large proportion of them were employed in the various processes connected with the Government buildings and the other public works in progress throughout the colony: the remainder were employed chiefly on the Government or experiment-farms. The erection of such buildings and the establishment of such farms, were temptations into which the Government of the colony naturally fell, from the superabundance of convict-labour—of which it always possessed the unlimited command and the absolute disposal, and from the want of a free emigrant agricultural population, to enable it to disperse the convicts all over the territory, and to employ them in much greater number in the labours of the field.

This superabundance of convict-labour led, during the earlier part of the administration of Sir Thomas Brisbane, to an arrangement which was highly beneficial to a number of respectable settlers in certain parts of the colony, but of which the continued influx of free settlers prevented the extension to other districts, in which it would doubtless have been equally beneficial, and soon led to its entire discontinuance. The arrangement I allude to, consisted in the institution of *clearing-gangs*, or parties of convicts in the service of Government, each under the charge of an overseer—who were stationed for certain periods on the lands of private individuals to fell and to burn off the standing timber. This was done at so much per acre, the proprietor who obtained the indulgence engaging to pay the Government in wheat—the produce of the land so cleared by Government-labour.

This arrangement, which was introduced at the suggestion of Major Goulburn, then Colonial Secretary of New South Wales, was exceedingly well devised ; for, while it provided suitable employment for the convicts in Government-service, and ensured the enforcement of a uniform and salutary discipline, it was of singular benefit to the free settler, in enabling him to cultivate a much greater extent of land than he could otherwise have done. The clearing-gangs were all numbered, and were under the charge of a general superintendent, who could ride about to the different farms on which they were respectively stationed, and inspect them occasionally ; while the overseer of each was responsible for the due performance of the allotted quantum of task-work. Had a system of free emigration been encouraged and promoted, as it ought to have been from the first settlement of the colony, and had the Government assisted the free settlers by some such arrangement as this, the following good effects would have resulted to the colonial community : a large extent of land would have been brought into cultivation, and the Government would have been saved the necessity of importing wheat from foreign settlements at a prodigious expense ; a large proportion of the convict-population would have undergone a species of training in the service of Government, that would afterwards have rendered them useful servants to the free settlers, and disposed and fitted them for the peaceful pursuits of agriculture on the attainment of their freedom ; while those useless and expensive conservatories of vice and villany—the Government-farms and penal settle-

ments of the colony—that grew up under a different and impolitic system, would never have existed ; and the towns of the colony would have been assemblages of industrious citizens instead of grand nurseries of dissipation. Nay, if the colonial government had even employed a portion of the superabundant convict-labour of the colony in clearing small farms for emancipated convicts of good character, and retained possession of such farms till the expense of clearing them had been paid for from the produce of the soil, it would assuredly have been consulting the best interests of the colony, and promoting in a high degree the gradual reformation of its convict-population. In short, it was so much the interest and the duty of the colonial government to disperse the convicts over the territory, and to employ them as much as possible in the labours of the field, that, if a concentration of the convict-population had even been the result of circumstances unconnected with the measures of Government, the Government ought to have interposed in every possible way to effect their dispersion.

It has hitherto been the practice of the government of New South Wales to pursue the same uniform system of treatment in the case of all convicts arriving in the colony from the mother country, without regard to the various degrees of their previous criminality.* The

* There have been a few instances of atrocious criminals being forwarded at once to a penal settlement, on their arrival in the colony, in consequence of express orders to that effect from home ; and Sir Robert Peel, when Secretary of State for the Home Department, directed the *literary or educated* convicts to be sent to the penal settlement of Wel-

forgery, the betrayer of trust, the highwayman, the thief, the pickpocket, the burglar, are all treated in precisely the same way as the Whiteboy from the bogs of Ireland, who has probably been sentenced to transportation under the provisions of the Irish Insurrection Acts. In short, there has never been any attempt in the colony to classify the convicts according to the various degrees of their transmarine criminality.

This has surely been a great error in the penal system of the colony, and its evil tendency has been apparent in three different ways. In the first place, it has tended to reduce to the same level in iniquity those whom the law had improperly visited with the same punishment, without regard to their respective demerits: in the second place, it has tended to blunt the moral sense of the prison-population of the colony, in regard to their power of discriminating between the lighter and the darker shades of criminality: and finally, by placing before the free portion of the community cases of individuals, whose punishment, when compared with that of other criminals of a more atrocious character, had apparently exceeded their criminality, it has given rise to a sort of morbid sympathy on the part of no inconsiderable portion of the colonial community,—a feeling, which regards the state of a convict as the result of misfortune rather than of misconduct.

The colonial government, however, has not been so much to blame in this matter as the reader may perhaps imagine: for if the criminal courts of the mother country were to be applied to the colony, the same would be the case. These however have been but rare exceptions to the general rule.

try have sentenced one individual to fourteen years' transportation, for a crime of much inferior enormity to that of another who has been sentenced only to transportation for seven years, it is not for the colonial government to attempt to remedy the acknowledged defects of the penal system of Great Britain, by ordering a new apportionment of punishment in New South Wales. The root of the evil is to be sought for in the penal code of the empire, the defects of which are great and obvious, and ought forthwith to be remedied. Besides, it very frequently happened in the earlier years of the colony, that no record of the convict's guilt was transmitted along with him to the land of his banishment. The convicts were landed from the transport-ship, like a herd of cattle, on the shores of Port Jackson,—one for seven years, another for fourteen, and a third for life; but the *why* and the *wherefore* they were so landed on these distant shores could be learned only by inspecting the records of the Old Bailey at the other extremity of the globe, or by searching the ponderous registers of Newgate and Kilmainham.

When a convict-ship arrives in Sydney harbour, it is the practice of the colonial government to reserve as many of the convicts, whether labourers or mechanics, as are required for the public service: * the rest are assigned to persons who have previously transmitted

* The public works in the colony, with the exception of roads and bridges, and other works of a similar kind, requiring mere labour and not mechanical skill, are now uniformly performed by contract,—very much to the benefit of the public. The convicts reserved by Government are consequently very few in number, comparatively, now.

duly attested applications for convict-servants, agreeably to a code of regulations recently established by the present Governor, and denominated the Assignment Regulations.* One pound sterling is paid to Government for each convict so assigned, as the price of his bedding and slop-clothing, which he carries along with him to his future master's. If the master resides in Sydney, he is employed in the various menial capacities in which house-servants are employed in Europe: if he resides in the country, as is much more frequently the case, he is employed in tending sheep or cattle, or as a farm-servant.

The convict-servants on the different farms of the colony are usually lodged in huts formed of split-timber, and thatched with long grass or straw, at a little distance from the proprietor's house. Two of these huts, with a partition between them, form one erection; and each of them is inhabited by four men. A large fireplace is constructed at one end of the hut, where the men cook their provisions, and around which they assemble in the winter evenings, with a much greater appearance of comfort than the sentimentalist would imagine. Rations, consisting of ten and a half pounds of flour, seven pounds of beef or four and a half pounds of pork, with a certain proportion of tea, sugar, and tobacco, are distributed to each of them weekly; and they receive shoes and slop-clothing either twice a year, or whenever they require them. Pumpkins, potatoes, and other vegetables, they are allowed to cultivate for themselves.

* Vide vol. i. Appendix, No. 9.

On my brother's farm at Hunter's River—and I believe a similar system is pursued on most of the large agricultural farms throughout the colony—the overseer rises at day-break, and rings a bell, which is affixed to a tree, as a signal for the men to proceed to their labour. The greater number follow the overseer to the particular agricultural operation which the season requires; the rest separate to their several employments, one to the plough, another to the garden, and a third to the dairy, while a fourth conducts the cattle to their pasture. The bell is again rung at eight o'clock, when the men assemble for breakfast, for which they are allowed one hour; they again return to their labour till one o'clock, when they have an hour for dinner, and they afterwards labour from two till sunset.

The condition of a convict in New South Wales depends greatly on the character of his master: it is in the power of the latter to render his yoke easy and his burden light; it is equally in his power, however, to make him superlatively miserable. In general, the lot of a convict in the colony is by no means a hard one: for the most part, he is better clothed, better fed, and better lodged, than three-fourths of the labouring agricultural population of Great Britain and Ireland; while, at the same time, his labour is beyond all comparison much less oppressive. In a great many instances, indeed, the object of the convict evidently is to get as much in the shape of allowances, and to do as little in the shape of hard labour, as possible.

The grand secret in the management of convict-servants is to treat them with kindness, and at the same

time with firmness ; to speak to them always in a conciliating manner, and at the same time to keep them constantly employed : and it is nothing less than absolute blindness to his own interest, and a want of common sense amounting to downright infatuation, that can lead any master to treat them otherwise. It must be acknowledged, however, that such infatuation has prevailed in New South Wales to a lamentable extent ; and has greatly retarded the advancement of the colony on the one hand, and occasioned much misery on the other.

A free emigrant settler, who has perhaps been riding about the country for a fortnight—neglecting his own affairs and troubling his neighbours—returns to his farm, and finds that his convict servants have been very idle during his absence : he talks to them on the subject, and his choler rises as he talks ; and he curses and swears at them as if he had taken his degree at Billingsgate, instead of being a free landed proprietor in His Majesty's colony of New South Wales. One of the convicts—a man who has perhaps seen better days—replies in no measured terms ; and the master immediately exclaims, with the highest indignation, “ You convict-scoundrel, do you speak to me at this rate ? ” and, taking the overseer to witness that the man has spoken insolently to his master, he forthwith hies both overseer and man to the nearest magistrate, who perhaps resides ten miles off, and gallops after them himself an hour or two afterwards. On arriving at the magistrate's, the settler, who is a remarkably good Protestant, kisses the book, and swears that the man

spoke to him insolently : the overseer, who is a stanch Roman Catholic, confirms his master's deposition by kissing the same book on the other side ; on which the worthy magistrate—who knows that the Bible was sent him for kissing and not for reading—has religiously pasted a bit of whity-brown paper, cut with a pair of scissors, in the form of a cross. When this *religious* ceremony has been gone through, the magistrate, assuming a very grave aspect, sentences the convict to receive twenty-five lashes for insolence to his master, and he is accordingly delivered over to the scourger of the district. In the mean time, the farm is deprived of the superintendence of the master, the exertions of the overseer, and the labour of the convict ; while the other convicts, disheartened and disgusted at the obvious injustice with which their fellow-labourer has been treated, do just as little as possible.

As soon the man who has been flogged is fit for labour, he is ordered to the plough ; but perceiving that a thick strong root crosses the furrow at a particular point, he contrives the next time the bullocks reach that point to run the plough right against the root and snap it asunder. “ You did it on purpose, you scoundrel ! ” says the infuriated settler, who has indeed good reason to be angry, for the season for ploughing is perhaps nearly over, and two or three days must elapse before the plough can be repaired, as there is probably no blacksmith within fifteen miles. The man, to whose corrupt nature revenge is so delicious that he does not deny the charge, but who is perhaps the best ploughman on the farm, is accordingly hied off immediately to

his worship again ; and, after the same pious ceremony of kissing the calf's-skin binding of the desecrated book, and the whity-brown-paper cross has been re-acted, is sentenced to "three months' hard labour on the roads, to be returned to his master at the expiration of that period."

The man returns accordingly at the expiration of his sentence ; but being addicted, as most convicts are, to the use of colonial tobacco, he allows a spark to fall from his tobacco-pipe, on his way to his labour, very near his master's largest wheat-stack, at a time when the latter happens to be off the farm ; and in less than a quarter of an hour after the stack is observed to be on fire. One would naturally suppose that in such a case of emergency, all the men on the farm would immediately run to extinguish the flames : such a supposition, however, would be very far from the truth. The convicts are so conscientious, forsooth, that they will not do any thing which their master has not particularly told them to do ; and he has never told them to extinguish the flames when any of his stacks should accidentally catch fire. Besides, they have a task assigned them, which they must not leave : in short, nothing gives them greater pleasure than to see their master's stack burning ; for they know he must give them the regular ration, procure it where he may, or send them back to Government, in which case they will have a chance of being assigned to a better master. By and by, the master returns at full gallop in time enough to see where his stack stood. He has reason to suspect that a conspiracy has been formed against him by his men ;

but to save him the trouble of bringing any of them to justice, four of them immediately *take to the bush*, i. e. become bush-rangers, or runaway convicts, subsisting on plunder. In a month or two after, two of them are apprehended for robbing a settler's cart on the highway, and tried, and convicted, and condemned to death; and the wretched men assure the minister who may happen to visit them in the jail or attend them on the scaffold—(I have received such information in such circumstances myself when it was too late to falsify)—that it was the arbitrary and unfeeling conduct of their master alone, that brought them to an untimely end.

I may be told, perhaps, that this is a supposititious case, and that all of these circumstances have not occurred in any single instance. It is immaterial, however, whether they have or not, as I can testify right well where and when they have all occurred singly.

“I have no doubt,” says Governor Macquarie, in a letter to Earl Bathurst, of date, London, 10th October, 1823, “that many convicts, who might have been rendered useful and good men, had they been treated with humane and reasonable control; have sunk into despondence by the unfeeling treatment of such masters; and that many of those wretched men, driven to acts of violence by harsh usage, and who by a contrary treatment might have been reformed, have betaken themselves to the woods, where they can only subsist by plunder, and have terminated their lives at the gallows.”

Some settlers think it necessary, forsooth, to humble their convict-servants, and to make them fear them. An

instance of this kind I have heard of in the colony with indignation and horror. A settler, requiring some office of a very disagreeable and offensive character to be performed on his premises, ordered one of his convict-servants to perform it, instead of adopting the much more efficacious mode of offering him a small reward on his doing it—a piece of tobacco, for instance, or a little wine. The man had perhaps seen better days, and therefore, feeling indignant at being set to such an employment, flatly refused. The master coolly ordered him off to a magistrate, who sentenced him to receive either twenty-five or fifty lashes for disobedience. The man returned to his master, who gave him the same order a second time; which the man a second time refused to obey: he was again taken before the magistrate, and sentenced to be flogged as before: and it was not till this degrading and brutalizing operation had been repeated a third time, that the spirit of the miserable convict was sufficiently broken to allow him to obey the mandate of his relentless tyrant.*

That there are incorrigible characters whom neither kindness nor severity can overcome, I am quite willing to allow; but that kind and judicious treatment will render the great majority of convicts peaceable, industrious, and contented, is, I conceive, equally indubi-

* Man is essentially a tyrant: it is education—I use the word in its widest sense—that makes him humane in any instance. Whatever arrangement of society, therefore, invests any man with such power over the person and happiness of his fellow-creature, as is possessed by the master of a convict or the holder of a slave, is essentially evil, and ought doubtless to be deprecated as indicative of an unhealthy state of the body politic.

table. One of the best-regulated farms, or rather estates in the colony, is that of Colonel Dumaresq, a brother-in-law of the late Governor Sir Ralph Darling, and lately a resident landholder on Upper Hunter's River. The law on Colonel Dumaresq's estate is the law of kindness; and incitements to industry and good conduct are rewards, and not punishments. The convict-labourers or farm-servants reside in white-washed cottages, each having a little garden in front; and prizes are regularly awarded to those who keep their cottages in the best order. Divine service is performed every Sabbath at twelve o'clock, agreeably to the forms of the Church of England; all the farm-servants being required to attend. The result of such a system is just what might be expected:—the men are sober, industrious, and contented.

On those farms or estates on which the convict-servants are treated with kindness, and at the same time with firmness, they will generally evince as much devotedness in their master's service on occasions of emergency, as is ever shown by free servants in the mother country. An alarming fire happened to break out on my brother's farm during one of the years of drought, which, communicating with the upper branches of a number of lofty forest-trees in the immediate vicinity of a range of farm-buildings, containing property to a considerable amount, threatened for thirty hours in succession to destroy both the buildings and the property they contained. The exertions of all the convict-servants on the farm to extinguish the flames were zealous and unremitted, and it was only through

these exertions that the property was saved ; one man having had the very jacket he wore half-burnt in the fire ; while another, for his equally laudable exertions, received a ticket of leave from the Governor, on being recommended for that indulgence by his master.

The influence of religion, I am sorry to acknowledge, is scarcely ever taken into account by the great majority of the settlers of the colony, in their procedure towards their convict-servants. Divine service is performed regularly every Sabbath by a few of the more respectable proprietors—in some cases according to the forms of the Church of England, in others according to those of the Church of Scotland—certainly, however, not in the proportion of one case out of every five, perhaps ten. Not a few of the settlers weigh out their servants' weekly rations and settle their farm-accounts on Sunday ; while in many instances the men are allowed to cultivate ground for themselves on the Sabbath, on the plea that they would probably be doing something worse if they were not so employed ; and no account is taken of the manner in which they spend the day ; no attempt is made to induce them to spend it in a way conducive to their spiritual welfare. In short, Sunday is the day appropriated by a large proportion of the settlers for paying and receiving visits, for dining any where but at home, and for attending to any thing but the concerns of religion. The influence of such procedure on the general morality of the territory, and its evident tendency to counteract the benevolent designs of His Majesty's Government for the reformation of the convict-population, may be easily conceived.

From the preceding details it will doubtless appear evident to the reader, that it is not only quite possible for a respectable family to live comfortably in the midst of a number of convict-servants, but that kind and judicious treatment will in all likelihood render even such servants obedient on the one hand, and highly profitable to their master on the other: for although there is nothing more common in the colony than to hear masters exclaiming against the idleness, and the insolence, and the discontentedness, and the villany of their convict-servants, I have seen enough to induce me to believe that the fault is not unfrequently on the other side. In fact, there are comparatively few masters in the colony who manage their convict-servants with the requisite discretion.

When a convict or prisoner (for that is the colonial phrase) becomes free, either by serving out the period of his sentence of transportation or by obtaining a pardon, he employs himself in the way in which he is most likely to succeed in the colony; and if an industrious man, the experience he has already gained in the country speedily enables him to find eligible employment. The only difference in this respect, between a person who has thus acquired his entire freedom and a ticket-of-leave holder, is, that the latter is confined to a particular district, and is liable to lose his ticket for various petty misdemeanours,—as for drunkenness or disorderly conduct,—which would not affect the standing of a free subject.

I had occasion to visit the settlement of Illawarra,

about seventy-five miles to the southward of Sydney, in the month of April, 1830. The journey being too long for a single day's ride, I had to spend a night by the way. The house of a magistrate of the territory, whose cordial hospitality I had repeatedly experienced on former visits to the interior, lay near my route ; but, choosing rather to confer than to receive a favour, I turned aside to the little cottage of a small settler, who I knew had arrived in the colony as a convict, though he had been free at the time I allude to for many years. The settler had originally been a Presbyterian from the north of Ireland : he had enlisted in a Scotch regiment quartered in the north of England, whither I understood he had gone as a petty dealer or hawker. Having committed some crime, however, of a minor character, he was sentenced to seven years' transportation. His wife, whom he had married in the colony on obtaining his freedom, was a native of the south of Scotland : her mother had died when she was very young ; and her father, who I understood had been a person of indifferent character, had married a second time, and left the children of his former wife to find their way through the world as they best could. I have reason to believe, however, that both husband and wife were not merely outwardly reformed, but really and sincerely penitent ; and from the gratification which my tarrying for the night under their roof afforded them, I could both perceive and feel, that when one has nothing else to give than that friendly countenance which the Word of God imperatively calls for, on behalf of those who are

turning from the error of their ways, there is nevertheless a deep and affecting meaning in the Scripture maxim, *It is more blessed to give than to receive.*

“I bought this farm,” the settler told me in the course of my visit, “the year I got my liberty: it’s a thirty-acre farm—very good land, Sir; and I was to pay a hundred pounds for it, for you know it was cleared but not stumped.* The year I got it I only put in four acres of wheat, for it was rather late in the season. The wheat was very cheap that year; but the next year I put in fifteen acres with the hoe—all with my own hands—and I had as many bushels off it as there are days in the year.” (i. e. 365 bushels, or $24\frac{1}{3}$ bushels per acre.) “The wheat was very dear that season, and I sold a great part of my crop at 14s. 6d., but the cheapest I sold was half-a-guinea a bushel; and I cleared my farm that year. I lived in that hut you see till the debt was paid, and then I built this weather-boarded house. We have every thing comfortable now—plenty of wheat, corn, potatoes, and every thing else we require. Indeed, it’s a good country, Sir, for an industrious man. At home I would only have had a day’s labour and little for it, and perhaps not even that; but here I have a farm of my own, and every thing comfortable. I have much reason to be thankful that ever I came here, and I hope there’s forgiveness for what’s past.”

In short, the aspect of things about the settler’s little establishment justified the account he had given me

* I. e. the roots of the trees were left standing in the ground.

both of it and of himself; and I was most happy to afford him such general commendation and such pastoral encouragement as his character and circumstances peculiarly called for. As I had two days' journey to perform on horseback, ere I could reach his little cottage on my return to Sydney, I gladly availed myself of his offer to supply me with a fresh horse, that my own might be in better spirits and condition on my return; and in riding rapidly along on the spirited Australian steed—the produce of sheer industry and economy—I could not help wishing, from the very bottom of my heart, that a hundred thousand families of the labouring agricultural population of Great Britain and Ireland could be gradually conveyed to a country in which the same industry and economy would infallibly lead them to the same degree of comfort and independence.

On my first journey over-land to Hunter's River, in the year 1827, my guide and fellow-traveller proposed to halt for an hour, to procure some refreshment for ourselves and our horses, at the house of a small settler whom he knew about twenty-five miles from Sydney. I assented, of course; for it was then high noon, and we had as much farther to ride ere we could reach our resting-place for the night. While the settler and my fellow traveller were attending to the horses, I stepped into the cottage or hut, which was a tolerably good log-hut, formed of split timber and covered with thatch; and while water was boiling to make tea for our refreshment—for in *the bush*, or uncultivated country, in New South Wales, tea is the universal beverage, and is

drunk at all times and by all sorts of persons—I got into conversation with the settler's wife, who was nursing an interesting little child, and who willingly gave me a history of her family.

She was a native of the colony: her parents had arrived (of course as convicts) in the first or second fleet during the government of Captain Phillip. On acquiring their freedom, and probably on their marriage, they had got a small grant of land at Toongabbe, the first agricultural settlement in the territory: on this land they continued to live—cultivating the ground, and rearing poultry, pigs, and cattle—till by industry and good management they had acquired several other small farms, and till their stock of cattle had increased to a considerable herd. In the mean time they had reared a family of seven or eight children; all of whom had arrived at manhood, and most of whom were married and settled throughout the territory: for as any native of the colony of good character could easily obtain a small grant of land from Government at the time I allude to, a young man, whose parents had trained him to industrious habits, and given him a few pigs and cattle to begin with, had only to go forth with his axe and hoe into the forest, to make himself comfortable and independent for life.

The settler entered the hut just as his wife had related these particulars; and as the latter had to be otherwise engaged, in making the requisite preparations for our homely refreshment, I easily induced him to give me his *Personal Narrative* also: for persons in the lower walks of life, who have done tolerably well in the

world, are seldom backward in relating the successive steps that have led them to their ultimate prosperity. He had been bred a cobbler, and been transported for seven years from the city of York. Being an industrious man, he had been enabled to earn a little money ere he had accomplished his term of penal servitude, by making or mending shoes on his own time for the small settlers in the neighbourhood of the place in which he had been assigned as a convict-servant. With this money, and a little more which he had saved from his earnings after he obtained his freedom, he had purchased the farm on which he then resided: it was a hundred-acre farm, and was entirely covered with timber at the time he bought it: it had cost him in this state £58. 10s. In the mean time he had married *that there woman*; at which announcement his affectionate spouse laughed heartily, with an expression of countenance, moreover, which indicated that she had no reason to regret the event.

Some time after the cobbler had purchased the hundred-acre farm, he ascertained that the new line of road to Hunter's River would run along the side of it. This immediately enhanced its value a hundred per cent; and he was accordingly offered double the price he had paid for it ere he had cut down a single tree: he wisely however preferred retaining it in his own hands, and had accordingly been living on it at the time I refer to about two years. He had got a considerable part of it cleared and fenced during that interval, and had a field of wheat of several acres of extent, and another of maize, besides a plot of potatoes and vegetables, and had even pur-

chased another hundred-acre farm in the immediate neighbourhood. I presume his wife had brought him a few cattle and pigs as her dowry: these had increased to a considerable herd; and two of their children (for they had four in all—three boys and a girl) were out with them in the bush,* or forest,—one with the pigs, and the other with the cattle. The settler told me he had a mare also, which he afterwards showed me with no small degree of self-complacency as I was mounting my horse. I commended his industry and economy in the strongest terms, and was thereby enabled to procure his favourable attention to recommendations and advice of a different description.

It is unnecessary to direct the reader's attention to the bearing of this case, as well as of the others previously detailed, on the highly interesting and important question as to the propriety or impropriety of continuing transportation as a species of punishment for felony. Had the Toongabbee settlers been sent to serve out their term of transportation in the Hulks, or in a Penitentiary in England, they would in all likelihood have returned to their former haunts at the expiration of their period of sentence, to prowl upon society as before; and the one would in all likelihood have rotted in jail, and the other have died on the scaffold. They were transported however to a penal colony, and were there transformed into industrious and reputable citizens—acquiring property both in land and cattle by their own

* The word *bush*, which sometimes signifies the country in general, but more properly the uncleared part of it, is merely the Dutch word *bosch*, signifying wood or forest.

good conduct, and rearing a numerous family of children; each of whom, on attaining man's estate, goes forth with his axe into the vast forest to extend the limits of civilization, and to fill the wilderness and the solitary place with the habitations of men. In like manner, had the York cobbler been sentenced to serve out his seven years of transportation in the Hulks or in a Penitentiary at home, he would probably have returned to his native city, to look for employment on obtaining his freedom: but he would there have found, to his cost, that he had irretrievably lost caste in society, and that no respectable master would employ a liberated felon: he would thus have sunk in his own estimation. He would therefore in all likelihood have returned perforce to his former courses, and he would perhaps have cost the Government in the end much more to try and to hang him, than it actually did to transport him. In the penal colony of New South Wales he has become a reputable member of society, and an independent proprietor of land and horses and cattle,—the husband of a virtuous wife, and the father of four interesting children.

With the knowledge of such facts as these, one cannot help feeling somewhat surprised at the confidence with which sweeping assertions like the following are hazarded in England. In allusion to the various descriptions of punishment either in practice or in contemplation, Archbishop Whately observes, "It has been decidedly proved that transportation is *worst of all*, and open to more objections than any that has been or can be proposed, or conceived as a substitute." And again,

“The removal of criminals to our Australian colonies was an experiment, whose failure, though not anticipated to the extent that should have been expected, has in some degree been forced by experience upon the minds of most.”

“The transportation of felons,” observes Archbishop Whately, “is an experiment whose failure has been decidedly proved.” Now I ask whether any man, after perusing the preceding sketches of the history of New South Wales, can say that that experiment has ever yet been fairly or properly tried? The fact of the matter is simply this: for a long period after the colony of New South Wales was originally established, and during the most important period of the past existence of that colony as a penal and experimental settlement, the attention of the British Government was entirely absorbed by the overwhelming concerns of *a just and necessary war*, which, however it may have eventually increased the glory of the nation in the estimation of fools, has only served, in the estimation of every rational and Christian man, to demoralize the nation, and fearfully to increase the amount of the national misery and crime. Meanwhile the entire management of the noblest experiment that was ever made by any civilized nation since the foundation of the world—I mean the experiment of a penal colony on a great scale—was recklessly entrusted to mere chance, to ignorance, to incapacity, to the full play and the uncontrolled operation of the worst passions that disgrace humanity. And is it in such circumstances that we are to be coolly told by His Grace of Dublin, sitting

in his study sixteen thousand miles from the scene of action, that the experiment has decidedly proved a failure?

Instead of investing a naval or military officer with the multifarious and often incompatible powers that were most injudiciously combined in the person of the Governor of New South Wales, from the first establishment of the colony, had the British Government appointed a council of seven members,—consisting of men of experience in the management of criminals, men of general intelligence, of decision of character, and of approved philanthropy, —entrusting to that council the administration of the whole affairs of the colony, giving them a strong and efficient police for their support, and placing the officer in command of the troops required for the protection of the settlement entirely under their control,—the important experiment involved in the establishment of the colony of New South Wales would have received a fair trial; and its issue, I am confident, would have been entirely satisfactory; the reformation of the convicts would have been general, rapid, and progressive; and thousands, and tens of thousands, and hundreds of thousands of British money, which, to say the very least, were lavishly and unprofitably expended under the system actually pursued, would have been saved to the nation. It is only after an experiment conducted in some such way as this—I mean in a way somewhat accordant with right reason and common sense—shall have been made and eventually proved a failure, that I shall ever be induced to subscribe to the sentiments of

the Irish Archbishop ; for, of all species of punishment, I am persuaded that, under a proper system of management, transportation would be found to combine, in the highest degree, all the four requisites which the Archbishop himself most wisely establishes, in being *humane, corrective, cheap, and formidable*.

I am quite willing to admit, that the transportation system, as it has hitherto been administered in New South Wales, has in great measure proved a failure ; but I maintain, without fear of contradiction, that that failure has not arisen from any thing inherent in the transportation system itself, but has rather been the natural and necessary result of a state of things which ought never to have existed in the Australian colonies, and from which no other result could possibly have been anticipated by any reasonable man. As I have entered into this subject very fully, however, in another work recently published, I shall not go over the same ground again, but shall merely refer the reader to that publication.*

The system pursued in the colony, in regard to the distribution and assignment of female convicts, is somewhat similar to the one I have already described in regard to the other sex. When a female convict-ship arrives in the harbour, the circumstance is duly announced in the Government Gazette, and families requiring female servants are invited to make application according to a prescribed form. The applications are

* "Transportation and Colonization ; or, The Causes of the Comparative Failure of the Transportation System in the Australian Colonies : with Suggestions for ensuring its future efficiency in subserviency to extensive colonization."

generally more numerous than the Government can meet, and the females are assigned only to reputable families, according to the best judgment of the Board appointed for the purpose. Many of them make good servants, and in due time get well married—chiefly to emancipated convicts, living either as agriculturists in the country, or in one or other of the various capacities in which the humbler classes of society are employed in towns; the colonial government being always willing to grant permission for the marriage of a female convict, provided she is either a spinster or a widow, and provided also that the intended husband is a freeman, and able to maintain a family.

It sometimes *unfortunately* happens, however, that the female convict, who has an opportunity of forming an eligible connexion in this way, and thereby acquiring her liberty forthwith, has a husband alive in England, or has been *imprudent* enough to declare herself married on her arrival in the colony, under the idea that *she will be more respected*, forsooth, (for that is the usual account of the matter,) as a married woman. In such cases, it becomes a matter of importance to prove either the death or the nonentity of the English husband, and the expedients that are resorted to with this view are often highly ingenious. About ten years ago, I solemnized a marriage between a reputable young man, a native of the colony, and a female convict who had been transported from Paisley, in the west of Scotland, for some malpractices in a manufacturing establishment in which she had been employed. The young man was a carpenter, and it seemed his Scotch wife turned out so much to his satisfaction, that

his brother was induced to think seriously of espousing another Scotch female convict who had arrived by the same vessel from the same part of Scotland. The brother's intended was the assigned servant of a respectable Scotch family residing near Sydney, and was naturally enough desirous of being *on her own hands*, as the wife of a free mechanic who could earn from thirty shillings to two pounds sterling a week ; but she had a husband in Paisley, and how to get him disposed of was the difficulty, for she had duly informed the Government of her being a married woman on her arrival in the colony. The difficulty, however, was not too great to be surmounted—at least the parties thought so ; and a letter was accordingly written, purporting to have come from some relative of the female in Paisley, and communicating the *distressing* intelligence of the Scotch husband's death. The letter was brought me for my perusal by the two brothers, with a view to my soliciting permission from Government (which must uniformly be obtained in the first instance by some clergyman of the territory, in the case of either party being a convict,) for the publication of banns. I observed to the young men, before reading the letter, that it had no post-mark ; but they readily explained that circumstance, by informing me that it had been brought out by the Scotch carpenter of a convict-ship lately arrived, who knew the parties ; and indeed the exterior of it bore the appearance of its having been for months in a carpenter's tool-chest, or in some situation in which it would have been equally soiled. The letter was dated sufficiently far back for the accom-

plishment of a voyage to New South Wales in the interval, and was written with great ingenuity. It communicated a variety of particulars relative to persons and events in the town of Paisley, which in any ordinary case would have given it the character of a genuine letter: there were even a few incidental notices respecting one of the ministers of Paisley, which were exceedingly well conceived for the purpose of practising on clerical gullibility. Unfortunately, however, in lamenting, towards the close of the letter, that the female convict to whom it was addressed was destined to spend the remainder of her days in so distant a part of the earth, the letter-writer had written the word *earth* in the cockney-style—*hearth*. It immediately struck me that this peculiarly *English* species of bad spelling could not have occurred so far north as the town of Paisley, where the vowel sound commencing a word is never aspirated; and I therefore returned the letter to the young men, telling them that I was persuaded it had been written in the colony, and that no such marriage as they contemplated would be allowed by the Government. A few weeks afterwards, the woman absconded from her master's service, and was married to the currency lad by an episcopal clergyman in the interior, as a free woman: as her flight, however, was immediately reported to the authorities, she was traced, apprehended, and sent to the third class in the factory—the place of punishment for female convicts—the marriage being held null and void.

Many of the female convicts conduct themselves in an unexceptionable manner, and rear large families

of interesting and promising children, when reputably married in the colony ; for it is not an unusual case for a woman, who has been exceedingly depraved and absolutely unmanageable in a single state, to conduct herself with propriety when advantageously married. Others, however, are indifferent enough in either condition, and when assigned as servants to respectable families, are got rid of and returned to Government with all convenient speed. But the fault is by no means uniformly on the side of the convict. A remark—which I recollect having heard the eccentric, but truly apostolic, Rowland Hill make at a public meeting of the friends of a Female Penitentiary Society in London many years ago—is unfortunately too well suited to the meridian of New South Wales : “ Mistresses are always complaining,” said the venerable old man, “ of their having bad servants ; but I will tell you what, ladies ; there are a great many bad mistresses too.”

There are instances of persons of the industrious classes of society, who have arrived free in the colony, marrying female convicts, and having no reason subsequently to regret the step they have taken : the experiment, however, is a dangerous one, and is sometimes attended with a different result. About ten years ago, a reputable Scotch mechanic, who was able shortly after his arrival in the colony to take jobs on his own account, was infatuated enough to marry a female convict of prepossessing appearance, but unfortunately of little else to recommend her. Previous to his marriage, he had been regular in his attendance on the ordinances of religion ; but his wife had various

other more eligible modes of spending the Sabbath than going to church, and he had accordingly to accompany her on Sunday excursions of pleasure to the country. Unfortunately, however, his wife very soon got *into trouble*, as it is technically termed in the colony; i. e. into the commission of some crime or misdemeanour, which issues in the individual's flagellation, or imprisonment, or transportation, or death by the law—for the phrase is sufficiently extensive in its signification: she had been concerned in a riot, which two free persons lodging in her husband's cottage had raised during his absence, and was immediately carried by the constables before the police magistrate of Sydney, who decides in a summary way in all cases in which convicts, whether married or not, are concerned. The offender was in this instance sentenced to three months' confinement, in the third or lowest class in the factory at Parramatta. One of the rules of that institution is, that no female shall be *admitted* into the third class without having previously undergone the operation of shaving the head; and the poor husband was so much distressed at the sorry appearance which he thought his wife would exhibit, when divested of her hair, that he actually called at my house to request that I would forward a petition which he had prepared to the authorities, that the operation might for once be dispensed with in his wife's favour. During the conversation that took place on the occasion, I took an opportunity to remind the Scotchman of his recent neglect of the ordinances of religion, and I accordingly saw him in church for a few Sabbaths after: his

wife, however, returned to him again at the expiration of her sentence, and I saw him no more.

When female convicts are returned to Government by the families to which they have been assigned, or are sentenced to punishment by the magistrates for petty misdemeanours, they are forwarded in a covered waggon to a sort of Bridewell at Parramatta, called *the Female Factory*, in which there are generally from two to five hundred female convicts, under the charge of a matron and the superintendence of a committee of management.* They are divided into three classes. *The First Class* consists of those who from particular circumstances have not been assigned as maid-servants to private families on their arrival in the colony, or of those who have been returned to Government by their masters without having any crime charged against them, or of those whose good conduct has merited their elevation from the inferior classes. All the females of this class are assigned as maid-servants, on being applied for by reputable persons, in the same way as on the arrival of a female convict-ship; the state of the Factory being announced weekly for the information of the public in the Government Gazette. *The Third Class* consists of incorrigible females, or of those who have been sentenced to a certain period of penal con-

* The Female Factory at Parramatta has, for several years past, been under most exceptionable management; insomuch as to have proved an absolute nuisance to the colony, and a fruitful source of demoralization. I am happy, however, to find by the last accounts from the colony, that it has at length been subjected to the salutary process of purgation; certain dismissals, which were long and loudly called for, having recently taken place. It will now, in all likelihood, be a very efficient establishment.

finement in the Factory on account of some misdemeanour; and *the Second Class* consists of those who have served out their period of sentence in the *Third*, and who are undergoing probation ere they are again advanced to the *First*. The inmates of the Factory are employed variously, according to their characters and stations in the establishment, but chiefly in the processes connected with the manufacture of a coarse woollen cloth, called *Parramatta cloth*, of which blankets and slop-clothing are made for the convict servants of settlers throughout the territory.

With a view to disperse the female convicts more widely over the territory, and to enable respectable families in the interior to procure female servants with greater facility, the present Governor has established subordinate factories at Bathurst and Hunter's River, to which a proportion of the female convicts from each ship are forwarded on their arrival, and in which those that have been returned to Government by their masters are kept for re-assignment in the district; and I am happy to add, that the measure has been attended with general benefit. Indeed, the system pursued for a long time previous, in regard to that portion of the prison population of the colony, was obviously and outrageously preposterous: for, instead of adopting every possible means to effect the dispersion of the female convicts, that they might at least have some chance of getting reputably settled, and even winking at pettier peccadilloes for the accomplishment of so important an object; they were generally immured, to the number of five or six hun-

dred, within stone walls and iron gates. The impolicy of such a system will appear from the following consideration, in addition to various others that will naturally suggest themselves to the reader; viz. that there are frequent instances in the colony, as I have already had occasion to observe, of females who had been absolutely unmanageable when imprisoned in the Factory, subsequently becoming remarkably quiet and well-behaved wives and mothers of children.

There are comparatively few instances of female convicts committing capital offences in New South Wales: an instance of the kind, however, happened to fall under my own observation several years ago, in the following rather singular way. I was proceeding alone in a gig one Monday morning to solemnize a marriage at a considerable distance in the interior, when a young man, decently attired in the garb of a sailor or ship-carpenter, requested to know whether I was some other person whom he named. There was a feeling of distress portrayed in the young man's countenance, that induced me to ask him some question, that immediately elicited his affecting story. He had arrived in the colony a few months before, as the carpenter of a convict-ship; and, finding that he could obtain eligible employment in Sydney, had obtained his discharge from the vessel, and remained on shore. On the Saturday evening previous, he was sitting in his lodging, after having finished his week's labour, when some person, entering the house, incidentally mentioned that he had just been at the Supreme Court, and had heard sentence of death pronounced on a man and woman for

robbing their master, a respectable settler, residing about forty miles from Sydney. The name of the woman, which the stranger also mentioned at the time, coinciding with that of a sister of his own, who had suddenly disappeared from her father's house in London about two or three years before, and had never afterwards been heard of by her relatives, it immediately struck him that the woman might possibly be his lost sister: he accordingly went forthwith to the jail; and, having obtained admittance, found to his inexpressible grief that the woman under sentence of death was actually his own sister. His parents, he told me, were poor but honest people, who had reared a large family of eight or nine children, and she was the only one of the number who had gone astray. On consulting some person as to what was proper for him to do in such circumstances, he was told to get a memorial to the Governor drawn up on his sister's behalf, and to have it recommended, if possible, by her master: he, therefore, went forthwith to a person in Sydney who wrote memorials for hire, and got a document of the kind drawn up. The writer was an emancipated convict, and the memorial was written in the usual style of such writers—taking for granted, as a matter of course, and strongly protesting, the innocence of the criminal, and insinuating that her present situation was the result of misfortune rather than of misconduct. It was eleven o'clock at night, before the precious document, which cost, if I recollect aright, two dollars, was finished; but, as soon as it was completed, the young man, who had never been a mile out of Sydney before, instantly set

off alone and on foot through the gloomy forest to the residence of his sister's late master, to request him to recommend the memorial. He had reached his destination, and had got about half-way to Sydney on his return, when I met him on the following Monday morning. On reading the memorial, I was apprehensive it would rather do harm than good, and therefore desired the young man to accompany me to a house a little way on, where we could obtain materials for writing, and where I should write something, which I had reason to hope would be of more service to him. The young man gladly accepted my offer; and I accordingly wrote a short account of the manner in which he had discovered his sister, and the anxiety he had manifested on her behalf; soliciting, that if the ends of justice could possibly be attained by a milder punishment, the feelings of the community might not be outraged by the execution of a female, who had probably been herself the unhappy victim of some unprincipled seducer. The young man was extremely grateful for the little service done him, and I was happy to learn afterwards that his unfortunate sister's sentence of death was commuted into a milder punishment.

Convicts who have been guilty of crimes and misdemeanours in the colony are subjected to various sorts of punishment, according to the real or supposed enormity of their respective offences: these punishments are *flagellation, the tread-mill, hard labour in irons on the roads, transportation to a penal settlement, and death*. Of these, the first two are awarded by a Bench of Magistrates; the third and fourth by the Court of

Quarter-Sessions ; and the fourth and fifth by the Criminal or Supreme Court. In regard to the first of these species of punishment, viz. flagellation, it is generally allowed that its tendency is to degrade, to brutalize, and to harden the individual ; and it cannot be denied that it is often resorted to in the colony at the instance of masters, when milder treatment would be much more efficacious. His Excellency, the present Governor of New South Wales, seems to have been of this opinion ; for in a colonial enactment, to which I have already alluded at considerable length, he has considerably restrained the power of the inferior judicatories, in regard to the infliction of that punishment. The second and third species of punishment I have enumerated are unexceptionable in their character ; and they have this in particular to recommend them, that their infliction is directly conducive to the benefit of the community ; the tread-mill being employed to grind corn, while the labour of the road-gangs opens up new, or improves existing lines of communication with the distant interior. There are strong objections, however, to the frequent recourse that has hitherto been had to the fourth species of punishment above-mentioned, viz. *transportation to penal settlements* ; and the same objections that are urged in the mother country to the punishment of death, except for murder and for certain other crimes of peculiar enormity, apply with undiminished, if not with increased force, to the case of New South Wales.

There are three objections to the system of transportation to penal settlements, which has hitherto pre-

vailed in New South Wales, which I conceive the Colonial Legislature, or rather the British Government, which bears the whole expense of these establishments, would do well to consider. In the first place, the penal settlements are enormously expensive : in the second place, they are productive of little or no benefit to the colony : in the third place, they are almost entirely unnecessary.

During the government of Major-General Macquarie and Sir Thomas Brisbane, there were penal settlements, either simultaneously or in succession, at Emu Plains, on the Nepean River, at the eastern base of the Blue Mountains ; at Wellington Valley, on the Macquarie River, about eighty miles beyond Bathurst, in the western interior ; at Newcastle, at the mouth of Hunter's River ; at Port Macquarie, at the mouth of the River Hastings ; at Moreton Bay, at the mouth of the Brisbane River ; and at Norfolk Island ; the last three having been formed, and the one at Newcastle discontinued, during the government of Sir Thomas Brisbane. The convicts at these settlements were employed in erecting buildings, such as barracks for soldiers, convict-barracks, jails, lumber-yards, hospitals, houses for the various officers attached to the respective establishments, &c. &c., and in clearing, fencing, and cultivating land. All these operations were carried on at a prodigious expense to the British Government ; but as that expense was included under the general head of the "Expense of the Convict Establishments of the Colony," the whole of which is borne by the mother country ; it would be difficult, as it is otherwise unnecessary, to estimate the

cost of each particular settlement. In process of time, however, when the influx of free emigrants and the demand for convict-labour occasioned the breaking up, first of one and then of another, of these penal settlements, it was found, that the buildings, which had cost so much in the erection, were for the most part of no use whatever to the colony, and were consequently suffered to go to ruin or sold for the merest trifle ; and that hundreds and thousands of convicts had thus been in reality occupied laboriously for years together—doing absolutely nothing. At Newcastle, for instance, there were large commodious buildings erected, during the government of Major-General Macquarie, of all the different descriptions I have just enumerated : but when Hunter's River was thrown open to free emigration during the government of Sir Thomas Brisbane, and the convicts removed to Port Macquarie, it was found that, as there was not a single acre of land near Newcastle worth the trouble and expense of cultivating; the proper site for a town for the district was at the head of the navigation of the river, at a distance of twenty miles from the actual place of settlement. Newcastle, therefore, became *a deserted village* ; property in it was not worth the having ; and several of the Government buildings consequently fell into a state of gradual dilapidation. As it was necessary, however, to maintain a Government establishment in the district for the general welfare of the population, it was still stationed at Newcastle, on account of the buildings already erected in that locality—to the great inconvenience and annoyance of the settlers, who were thus compelled, for

instance, to carry every sick convict they required to send to the district hospital, twenty miles farther than the station at which such a building ought to have been erected. At Emu Plains also, various Government buildings were erected, though not to the same extent, which eventually proved equally unserviceable; and though a considerable extent of land was cleared, fenced, and cultivated at that settlement, it cannot be doubted, that every acre so cleared and cultivated cost the Government double, triple, or quadruple the sum it will ever realize.

The establishment, growth, and magnitude of the penal settlements, in the formation of which so much valuable labour was thus lost to the colony, and so much British money absolutely thrown away, were attributable chiefly to the impolitic system pursued by Governor Macquarie, and to the check which was given during his government to free emigration. It remains to be inquired, how far such settlements are necessary—whether they might not be dispensed with in great measure with much benefit to the colony—and, supposing that they ought to be retained to a certain extent, what purpose the formation of a penal settlement ought to serve in the New South Wales colonial system?

I do not suppose that it would either be practicable or expedient to dispense with penal settlements altogether. There are incorrigible offenders who must be thrust out of society, as well for their own benefit as for that of the public, and whose pestilential influence would corrupt and debase even an iron-gang. For the

confinement and punishment, if not for the reformation, of such offenders, the penal settlement of Norfolk Island is admirably adapted, as it presents no possibility of escape to the criminal. It would be proper, therefore, I conceive, to retain that dependency as a permanent penal settlement, in which the atrocious criminal might receive his bitter portion of hopeless exile and hard labour for life, and in which the criminal of a lighter shade of guilt might be put to his probation for a longer or shorter period, according to the degree of his criminality. In regard, however, to the majority of the convicts who are now sent under colonial sentences of transportation to Norfolk Island, and to the other penal settlement of Moreton Bay—I am confident I express the opinion of every person of intelligence of the class of free settlers in New South Wales, when I state my own—that the ends of justice could be equally attained by subjecting them to hard labour in irons on the roads and bridges of the settled parts of the colony, under the vigilant superintendence of an efficient police; the degree of restraint being proportioned to the degree of criminality, and the convicts who had been found guilty of more serious offences being stationed in the more distant and wilder parts of the territory. By this arrangement, the labour of the majority of the convicts, now for the most part unprofitably employed at penal settlements, would be expended usefully for the colony, while the mother country would be entirely relieved of the cost of their maintenance. Their safe custody could, with proper precautions, be secured in the one case as effectually as in the other, while the punish-

ment could with the utmost facility be rendered equally severe.*

The useful purpose which penal settlements ought to serve in the New South Wales colonial system, independently of the means they afford of subjecting incorrigible offenders to a comparatively severe system of penal discipline, is to prepare the way for the successive formation of a series of free settlements throughout the territory. This purpose, however, could undoubtedly be served without any such waste of money and labour as has hitherto occurred at the penal settlements formed on Governor Macquarie's principle; for I see no reason whatever, why every tree that is cut down, and every stone or brick that is laid upon another, at the expense of Government, in any part of the territory, should not contribute to the permanent prosperity and progressive advancement of the colony, as well as such operations uniformly do when carried on by private individuals acting for their own private advantage. In the event, therefore, of a certain amount of convict-labour being disposable for the purpose of forming a penal settlement in a part of the territory previously unoccupied, let it be kept steadily in view, that the object of that settlement is merely to prepare the way for the formation of a free settlement, and that all the operations to be performed by the convicts are to be of such a kind

* The huts of the road-gangs at every encampment could be enclosed within a strong stockade, for the construction of which there are materials in abundance in all parts of the territory; while the superintendent and the officer of the guard could be lodged in comfortable frame-houses, that could be taken asunder and removed on the backs of pack-bullocks, and set up again at the next encampment.

only, as shall most effectually facilitate the accomplishment of that object. With this view let an accurate survey of the locality intended for the new settlement be made in the first instance, and its capabilities, in regard to soil and to available means of communication, be fully ascertained. Let a site for a future town be fixed on, and a plan of it drawn; and let such buildings as may be permanently required for Government purposes, after its discontinuance as a penal settlement, be erected in suitable situations. Let roads be formed in every proper direction, and a large extent of land cleared for future cultivation: and when these operations shall have been duly performed, let the whole establishment be removed to another locality, and the township and district thrown open for the settlement of free persons, whether emigrants or emancipists; those convicts who have fulfilled their term of banishment, or have otherwise merited such an indulgence, being allowed to remain. In this way penal settlements would form the vanguard of civilization in the colony; they would prepare the way for its progressive and rapid advancement; and they would render the circumstances of free persons occupying newly opened settlements much more comfortable than they can possibly be under the present system.

Had the penal settlement of Newcastle been conducted on this principle, and had the labour of the numerous convicts, who were so unprofitably employed at that settlement for years together, been expended in clearing land, and in forming roads for the free settlers to whom the land was afterwards to be surrendered, the

result, in regard to the circumstances and condition of the earlier settlers at Hunter's River, and the general prosperity of that important district, would have been very different from what it actually was. Nay, the Government might even have been repaid by the settlers the whole expense incurred in the clearing of the land.

Were an extensive emigration of reputable free agricultural labourers, with their wives and children, to take place from the mother country to New South Wales, penal settlements might in every instance be converted, in the way I have just mentioned, into flourishing agricultural free settlements almost instantaneously. The land might be divided for this purpose into small farms, varying in extent from twenty to a hundred acres, according to the nature of the soil; a certain number of acres being cleared and fenced by Government on each farm, and a log-house of the simplest construction erected for the accommodation of a family. Each of these farms might be let by the Government, on the opening of the settlement, at a rental payable in grain at the nearest commissariat store; the tenant having it in his power to purchase the farm at a certain price and within a certain period by instalments. In this way also, numerous emancipated convicts and ticket-of-leave holders, of reputable character, might be advantageously settled in the out-stations of the colony, where they would be removed from the influence of strong temptations, and be encouraged to propriety of conduct by the good example of a virtuous population. In short, an extensive emigration of the

kind I have described is absolutely necessary to ensure the proper working of the penal system, as well as the moral health and welfare of the colonial community.

In regard to the infliction of the punishment of death, except for murder and for certain other crimes of peculiar enormity, it is generally acknowledged that the penal code of Great Britain is still both sanguinary and inefficient. The excellence of the criminal code of any country consists in the due apportionment of punishments to offences; and the excellence of the judicial system of any country consists in making the punishments so apportioned uniformly follow the crimes to which they have been awarded. It argues a lamentable imperfection in the state of the law, and exceedingly impedes the course of justice, for the royal prerogative of mercy to be systematically resorted to, to correct the real or supposed severity of the former, and to render the latter accordant with right reason and the better feelings of enlightened humanity. Much rather let such punishments be decreed in the first instance, as the judges will award and the executive inflict. In short, it intimately concerns the interests of morality throughout the British empire, to effect a speedy and complete change in so anomalous a system.

The punishment of death has little or no influence in the colony in deterring from the commission of crime; for it is not inflicted in the great majority of cases in which the sentence has been actually passed. Besides, the criminal has every advantage in New South Wales, from the frequency of perjury, and from the prevalence of that foul system of legal chicanery, which regards

the screening of the most consummate villain from the punishment he has merited, as an achievement equally honourable and equally meritorious with the deliverance of innocence itself from the gibbet or the stake. But when the punishment of death is actually inflicted, as it is not unfrequently for crimes of much inferior enormity to that of murder, it has just as little influence on the prison-population in general, as the prospect of it has actually had on the criminal. In fact, the criminal is regarded by those whom the spectacle of his punishment is supposed likely to influence, merely as an unsuccessful speculator in the grand lottery of the law, who has staked his last dollar and drawn a halter: he is sympathized with accordingly by his old companions, who assemble in great numbers to see how he dies; and who are doubtless encouraged from the profanation of the services of religion, that not unfrequently takes place on such occasions, to believe that if it should come to the worst with themselves also, a little timely intercourse with a minister of religion, and especially with a Roman Catholic priest, will settle all accounts, and make them happy at last. Nay, the dead body of the criminal is perhaps carried to the house of some relative or acquaintance after the executioner has done his duty, where it is *waked over* with all due formality, and where the particulars of his last mishap are circumstantially related by a crowd of visitors; the proper degree of censure being dealt out on the lawyer who conducted the defence, for not acting his part as he usually does on such occasions; and poor Paddy or Joe or Dan, who of course is pronounced *happy now*, is

at length followed to the grave by a numerous train of mourners. In one case of this kind, in consequence of having visited the criminal in the jail previous to his execution, I was waited on by a deputation of his friends to *read prayers*, forsooth, over his carcase in the burying-ground of Sydney, that he might be *earthed over* with some degree of *éclat*.

The uniformly demoralizing character of such scenes, and the withering and blasting influence of the feelings they awaken, might surely teach the legislature of Great Britain the propriety of limiting the punishment of death to the crime of murder, and to those other enormous offences which all Christian nations have agreed to visit with the last punishment of the law. In witnessing such scenes as those I allude to, I have been irresistibly impressed with an idea, which my own experience of the miserable perverseness of human nature has induced me to believe neither unreasonable nor unfounded; viz. that there are individuals who would actually be incited to crime by the prospect of such a death and such a burial. Better surely that the system of Venice—revolting as it seems to Britons—should be revived, than that such a system should be continued; that the criminal should be conducted at midnight over the Bridge of Sighs, and the work of death performed by torchlight and in solemn silence, in the presence of no other witness than the jailer and the sheriff!

Besides, it has happened in New South Wales, as it has done repeatedly in the mother country, that the innocent have suffered the last punishment of the law, while the guilty have escaped. In the earlier times of

the colony, a private of marines, who had settled on the Hawkesbury and was known to have accumulated considerable property, announced his intention speedily to return to England : just as he was ready, however, to pack up and be off, his cottage was attacked at midnight by armed ruffians, and in the scuffle that ensued he was mortally wounded : his house was then rifled, and a quantity of property carried off. Property of the description stolen being subsequently found in the house of two men residing at Windsor, about twelve miles farther up the river, suspicion was immediately awakened, and the men were of course apprehended, and charged with the robbery and murder. The property that was identified was a quantity of tea, with which a number of nails of a particular kind were found mixed ; the marine's wife having testified in the course of the trial that a number of nails of that kind had accidentally fallen into their box of tea. The widow having sworn, moreover, to one of the men as the person who fired at her husband, they were both found guilty, and condemned to death. The men acknowledged that they had gone down the river in a boat on the night of the robbery, with an intention to rob the marine's house, but not to commit murder : on arriving at the spot, however, they found they had been anticipated ; another party of desperadoes being actually engaged at the moment in robbing the house. In these circumstances, they concealed themselves at a little distance from the house, to watch the issue of the affair ; and observed the robbers *plant* or conceal a quantity of the property, of which they had just plundered the cottage, in their immediate neigh-

bourhood. Watching their opportunity, therefore, they carried off the property to their boat, and made the best of their way to Windsor. But the whole story was apparently so improbable, that nobody believed it, and the men were accordingly executed forthwith. Several years afterwards, however, an emancipated convict settler of the name of Fitzpatrick, who lived several miles farther down the river than the unfortunate marine, was found guilty of some capital offence, and condemned to death. Before his execution, Fitzpatrick, whose apparently reputable character and easy circumstances had completely diverted suspicion into other channels, confessed that it was he who had robbed and murdered the marine; that he had gone up the river with one or more accomplices on the night of the murder, and with an intention to rob the house, in a boat with muffled oars; and that, after shooting the marine and rifling the house, he had concealed a quantity of the plunder in the neighbourhood; but that on returning afterwards to carry it off, he had found, to his astonishment and disappointment, that some person had *sprung the plant*—a cant phrase for discovering and carrying off property which another person has stolen and concealed.

In the year 1828, six criminals, who had all been found guilty of capital offences and had received sentence of death, were ordered for execution: three of them were Protestants, and three Roman Catholics. I had visited the former repeatedly before the execution of the sentence had been definitively fixed on by the executive council. One of them maintained his entire innocence of the crime of which he had been found

guilty ; but, as that is no uncommon occurrence, I paid no attention to it. All of them, however, indulged the hope of a commutation of their sentence into transportation to a penal settlement for life ; especially as their crimes had not been attended with bloodshed or personal violence : but as soon as the sheriff had at length announced to them that their sentence was to be carried into execution, two of the Protestants confessed that, in addition to the crime for which they were deservedly to suffer death, they had also committed the highway robbery, of which the third Protestant and one of the Roman Catholics—a very young man of the name of Lynch—had been found guilty, on the evidence of a woman who swore to their persons ; but that they had (naturally enough) concealed the circumstance so long as they had any hope of escaping with their own lives.

The execution was to take place on a Monday morning ; the sheriff's announcement to that effect having been made to them on the Thursday or Friday previous. I did not see the men after the intimation had been given them till late on the Saturday evening ; but I was then forcibly struck at the earnestness with which the two Protestants maintained their own exclusive guilt, and the entire innocence of the third Protestant and the Roman Catholic Lynch. Determined, however, not to do any thing in the matter precipitately, I visited them again on the Sabbath morning ; and the impression made upon my mind of the truth of the men's statement the preceding evening being then confirmed, I determined to mention the circumstance to the sheriff, and accord-

ingly did so during the interval between the morning and afternoon service ; intending, in the event of that gentleman's opinion coinciding with my own, to ride up to Parramatta (where the Governor was then residing, about fifteen miles off,) in the evening, to solicit a reprieve for the third Protestant and the Roman Catholic Lynch.

The sheriff observed that it was no uncommon thing for criminals under sentence of death to act precisely in the way I had described—one or more, on finding that it is all over with themselves, confessing themselves guilty of crimes they had not committed, merely to get off some old companion, perhaps, who is really guilty, and thereby render him the last service in their power : and, conceiving that the case I have detailed was just one of that character, he dissuaded me from applying to the Governor on the subject. This was a view of the case which had not occurred to me ; and, as it served materially to weaken the impression produced by the scene I had witnessed in the jail, I determined not to interfere any farther in the matter.

I again visited the criminals, however, about ten o'clock on the Sabbath evening, and, from what occurred during my visit, I was fully persuaded of the correctness of my first impression ; for while the man who had uniformly protested his innocence was apparently calm and collected, the agony of the other two at having brought two innocent persons to the scaffold was extreme, and I may add, if I know any thing at all of human nature, was undoubtedly unfeigned. Besides, I ascertained that they had no previous ac-

quaintance with the third Protestant; who had been an assigned servant to a settler on the Hawkesbury, and was characterized by his master as a quiet inoffensive man.

In these circumstances, I considered it my duty immediately to report the case to the Governor. With this view, I wrote out a statement of it on going home, as I did not expect to find His Excellency up at the early hour at which it would be necessary for me to reach Parramatta, in order to return to Sydney before the execution. I reached Government House at Parramatta before six o'clock on Monday morning, and found both the Governor and the Colonial Secretary in the area in front of it, the latter having been at Government House the preceding night, and being then just about proceeding to Sydney. The Governor—General Darling—heard my verbal statement of the case, and held a private consultation with the Secretary on the written one; the result of which was that they both coincided in opinion with the Sheriff, and deemed it inexpedient to delay the execution of the sentence.

I accordingly returned immediately to Sydney, and about two miles from Parramatta met the late Roman Catholic priest of Sydney, the Rev. Mr. Power, who had come to the same conclusion with myself, in regard to the innocence of the lad Lynch, and was actually on his way to the Governor on the very same errand. Having apprised him, however, of the result of my visit, he deemed it unnecessary to proceed any farther, and we accordingly returned together to Sydney. I saw the men once more, immediately before the exe-

cution, which took place about nine o'clock, when they all suffered death; and I still firmly believe that two of them were entirely innocent of the crime for which they were hanged. Cases of this kind, which it is evident may occur in any country, should surely have some weight in inducing the imperial legislature to render the punishment of death somewhat less frequent than it has hitherto unfortunately been, under the operation of the sanguinary criminal code of Great Britain and Ireland.

I have already hinted at the frequency of perjury in the criminal courts of the colony. In a community so peculiarly constituted as that of New South Wales, such a state of things is, doubtless, to be expected. I have long been of opinion, however, that the practice of the criminal courts of the colony, in regard to the mode of administering oaths, has a direct tendency to lessen the guilt of that enormous crime, and consequently to weaken the obligation of an oath in the estimation of the public. There is nothing, it will doubtless be acknowledged, of greater importance to a community than the prevalence of a high regard for the sanctity of an oath; and there is nothing which the legislative and judicial systems of any country ought to guard against with more watchful jealousy, than the prevalence of an opposite feeling. The immense superiority of the practice of the criminal courts of Scotland, in this particular, over those of England and the colonies, cannot fail to be obvious to any person who has had an opportunity of contrasting the method of procedure in the one case, with that which obtains in

the other. In the courts of Scotland, the administration of an oath is regarded as a matter of too much importance to be entrusted to any person but the judge or highest law-officer of the court. When an oath is to be administered, a deep silence prevails all over the court; the judge rises from his seat; and, desiring the witness to hold up his right hand to heaven, repeats in a solemn manner some such formula as the following, which the witness repeats after him, only changing the pronouns:—"You swear in the presence of Almighty God, before whom you shall answer at the great day of judgment, that you will tell the truth, the whole truth, and nothing but the truth—So help you God!" In short, the scene is impressive and affecting in the highest degree; and the happy result is the general prevalence of a feeling of reverence for the sanctity of an oath among all classes of the Scottish people, amounting in those of the humbler walks of life almost to superstition. Long may such a feeling prevail among my countrymen! It is one of the best bulwarks of the national virtue—one of the best securities for the national prosperity.

In the criminal courts of England, however, (I mean in those of the British colonies,) oaths are administered amid the jabbering of the lawyers, and the tittering of their clerks; the judges being perhaps employed in arranging their papers, and the spectators each talking to his neighbour! Oaths are administered, moreover, in the English courts, (*horresco referens*), by the common crier or lowest officer of the court! As soon as a witness has taken his place in the box, this

personage steps up to him with the court Bible in his hand, and asks him whether he is a Protestant or a Roman Catholic—handing him the Bible with the plain side of the cover upwards, if he is a Protestant; but if a Roman Catholic, with the other side uppermost, which of course has a cross etched upon it, like the whity-brown paper-cross on the magistrate's affidavit Bible. The crier then pronounces the following words, in a tone of voice somewhat similar to that of a crier of 'Almanacks for the ensuing year:—“The evidence you shall give in the case between our Sovereign Lord the King and the prisoner at the bar shall be the truth, the whole truth, and nothing but the truth—So help you God!” The witness then kisses the book or the cross, and returns the Bible to the crier. In short, if an oath is to be regarded as a solemn appeal to the judgment-seat of Almighty God for the decision of matters of importance between man and man, a more complete desecration of a deeply affecting religious service cannot well be imagined, than the English colonial practice in regard to the administration of oaths, or a more direct encouragement of perjury among the lower classes of the colonial population.

Besides, as the obligation of an oath depends, in the estimation of illiterate persons of the prison-population of the colony, on the circumstance of bringing the lips into actual contact with the book or cross, a witness of this description, who is desirous of giving evidence to suit his employer, kisses only the nail of his thumb, and of course swears falsely with a clear conscience. Again, it is quite in the power of a lawyer of ability of

a certain description, who is accustomed to deal with evidence of this kind, to get a pliable witness to say whatever he chooses by merely putting what are technically called *leading questions*; while those of the Crown lawyer are in all likelihood uniformly answered in the style of the famous Majocchi, *Non mi ricordo*. On the other hand, if a witness has a mind of his own, and will not be *led*, the colonial lawyer of the class I have just been describing has another resource for his client; and that is, to browbeat him, and put him down with impudent and irrelevant questions, or by pretending to have discovered some minute discrepancy between the different parts of his evidence, and thereby insinuating a suspicion of his having perjured himself. In a state of society in which such procedure and such practices prevail around the fountain of justice, it is not to be wondered at that there should be comparatively little reverence for the sanctity of an oath. In short, the courts of justice in the Australian colonies are doubtless one of the prime sources of colonial demoralization; and if some such reform as the one proposed by the late Jeremy Bentham could be effected in the judicial system of these colonies, I am sure their best interests would be essentially promoted.

CHAPTER II.

JOURNEY OVER-LAND TO HUNTER'S RIVER, WITH
A DESCRIPTION OF AN AUSTRALIAN FARM.

Sic ego desertis possim bene vivere sylvis,
Qua nulla humano sit via trita pede.

PROPERTIUS.

Thus could I live in desert wilds,
Where human foot had never trod.

THE principal agricultural and grazing district in the colony of New South Wales is that of Hunter's River, to the northward of Sydney. Hunter's River empties itself into the Pacific Ocean at Newcastle—a small town beautifully situated at the head of a romantic bay, the entrance of which is about seventy miles distant from the heads of Port Jackson. At the entrance of the Bay of Newcastle there is a small but rather lofty island, called Nobby's Island, somewhat resembling the Craig of Ailsa, or the Bass Rock on the coasts of Scotland, and consisting apparently of indurated clay supporting a stratum of sand-stone, over which there is a stratum of coal, the clay appearing to rest on a substratum of silicious substance. The indurated clay, of which I have seen various specimens, although I have not myself landed on the island, consists

of thin laminæ, into which it may be easily separated with a knife, and which present innumerable impressions of vegetables. I have seen such impressions in specimens of the clay obtained at a height of fifty to a hundred feet above the level of the sea: it appears indeed to consist entirely of masses of vegetable matter, which, at some former period in the history of the earth, must have floated in a solution of clay. Nobby's Island has evidently been originally joined to the mainland; the intervening channel to the southward being still narrow, shallow, and rocky, and the successive strata of which it is composed corresponding with those of the main. It is a very remarkable and interesting object on the coast.

There are now three steam-boats plying between Sydney and Hunter's River, each of which makes a trip twice a week. The steam-boat leaves Sydney at seven o'clock in the evening, reaches Newcastle about the same hour next morning—the ocean part of the voyage being thus performed during the night—and arrives at the Green Hills, or the head of the navigation of the Hunter, at the distance of four miles from the town of Maitland, about ten o'clock; the whole distance being about one hundred and twenty miles. The town of Newcastle, I have already observed, has somewhat the appearance of a deserted village: it is reviving rapidly, however, and is likely to become a place of considerable importance, as it is situated in the centre of the great coal-field of the colony, and as the Bay forms a good harbour for small vessels.

Coal abounds along the east coast of New South

Wales to a vast and unknown extent : it is frequently discernible from a black streak along the face of the perpendicular cliffs that form the coast-line, a mile or two off at sea ; and it is worked at Newcastle with comparative facility. The Australian Agricultural Company enjoy the exclusive privilege of working the coal-mines of the colony for a certain number of years, and they have erected works for the purpose in the immediate vicinity of Newcastle, of considerable extent. The main-shaft is on the declivity of a hill or bank running parallel to the course of the river, about a furlong from the water's edge ; and the coal is raised to the surface by steam-machinery : it is then placed in trucks, which descend along an inclined plane by their own weight ; the angle of inclination being about thirty degrees, and the weight of each descending truck being employed to raise an empty one, by means of a connecting chain passing around a system of wheels or rollers at the upper extremity of the plane. The truck is then pushed, by one or two men stationed for the purpose along an elevated horizontal railway, which terminates in a jetty ; the moveable extremity of which is so constructed as to place the truck right over the deck or open hold of a vessel loading coals in the river. The slip-bottom of the truck, which is moveable by a spring, is then thrown open, and its whole contents descend into the vessel's hold without farther trouble.

Coals are sold at the jetty on behalf of the Company at nine shillings a ton. I have not ascertained the quantity sold last year ; but the sale, and of course the consumption, has been increasing rapidly for several

years past, and there is reason to believe that it will ere long be increased tenfold, and that their coal-mines will therefore eventually yield a large revenue to the Company: for besides the quantity sold for exportation, and the daily increasing consumption in steam-engines and factories, families in Sydney begin to find coal a less expensive and more convenient fuel than wood.

When Newcastle was a penal settlement, a jetty or breakwater was commenced, to extend from the mainland to Nobby's Island, with a view to improve the navigation at the entrance of the harbour, by shutting up the shallow, rocky channel to the southward of the island, and thereby widening and deepening (which it was expected would be the result of the operation) the channel to the northward. The work, however, was discontinued during the governments of Sir Thomas Brisbane and General Darling; but it has been resumed since the accession of the present Governor, and will, according to the estimate of Captain Barney, of the Royal Engineers, the present able and active director of public works in the colony, afford suitable employment for two hundred convicts under colonial sentences for five years to come. Some colonial Goth, whose antipathy to interesting natural scenery seems to be a sort of inherent or original sin, has proposed to level Nobby's Island together, on the plea of its having been repeatedly found guilty of taking the wind out of the sails of vessels entering the harbour—a sort of misdemeanour, amounting, I presume, to petty larceny on the part of the island. I trust, however, the colonial government will adopt the wiser expedient of erecting

a light-house on its elevated summit; for Nobby's Island has surely been long enough at a penal settlement, to entitle it to indulge the reasonable hope of escaping decapitation—the last punishment of the law.

Hunter's River, or the Coquun, as it is called by the Aborigines, runs in an easterly direction for upwards of a hundred miles, from the high ranges of mountains in the interior to the Pacific Ocean. It is formed from the junction of various smaller rivers, that traverse these ranges in various directions to the right and left: it is navigable, however, only for about twenty-five miles in a direct line, or about thirty-five by water, from the coast. At the distance of twenty miles by water from Newcastle, it receives another river of considerable magnitude from the northward, called William's River, or the Doorribang; and at the head of the navigation, or about thirty-five miles from Newcastle by water, it receives a second river, called Patterson's River, or the Yimmang, each of which is navigable for a considerably greater distance than the principal stream or main river.

For the first fifteen or twenty miles by water from the mouth of the river, the land on either side is generally low, swampy, and sterile, though for the most part thickly covered with timber; but higher up, and along the banks of the two tributary streams, the soil for a considerable distance from the banks is entirely alluvial and of the highest fertility, and the scenery from the water exceedingly beautiful. Let the reader figure to himself a noble river, as wide as the Thames in the lower part of its course, winding slowly towards the

ocean, among forests that have never felt the stroke of the axe, or seen any human face till lately but that of the wandering barbarian. On either bank, the lofty gum-tree or eucalyptus shoots up its white naked stem to the height of 150 feet from the rich alluvial soil, while underwood of most luxuriant growth completely covers the ground; and numerous wild vines, as the flowering shrubs and parasitical plants of the alluvial land are indiscriminately called by the settlers, dip their long branches covered with white flowers into the very water. The voice of the lark, or the linnet, or the nightingale, is, doubtless, never heard along the banks of the Hunter; for New South Wales is strangely deficient in the music of the groves: but the eye is gratified instead of the ear; for flocks of white or black cockatoos, with their yellow or red crests, occasionally flit across from bank to bank; and innumerable chirping parrots, of most superb and inconceivably variegated plumage, are ever and anon hopping about from branch to branch. I have been told, indeed, that there is nothing like interesting natural scenery in New South Wales: my own experience and observation enable me flatly to contradict the assertion. There are doubtless numerous places throughout the territory uninteresting enough, as the reader may conceive must necessarily be the case in situations where the prospect of a settler's cleared land is bounded on every side by lofty and branchless trees: but in many parts of the territory, both to the northward and the southward of Sydney, both beyond the Blue Mountains to the westward, and for many miles along the Hawkesbury and Nepean

rivers that wash their eastern base, I have seen natural scenery combining every variety of the beautiful, the picturesque, the wild, and the sublime ; and equalling any thing I had ever seen in Scotland, England, Ireland, or Wales.

The following pastoral by an Australian poet, whose name I am not at liberty to mention, will show that there is something to captivate the admirer of nature in the woods and wilds of Australia, and will also afford the reader some idea of the rural scenery on the banks of Hunter's River and its tributary streams :—

ODE TO YIMMANG RIVER.

On Yimmang's banks I love to stray
And charm the vacant hour away,
At early dawn or sultry noon,
Or latest evening, when the moon
Looks downward, like a peasant's daughter,
To view her charms in the still water.

There would I walk at early morn
Along the ranks of Indian corn,
Whose dew-bespangled tassels shine
Like diamonds from Golconda's mine,
While numerous cobs outbursting yield
Fair promise of a harvest-field.

There would I muse on Nature's book,
By deep lagoon or shady brook,
When the bright sun ascends on high,
Nor sees a cloud in all the sky ;
And hot December's sultry breeze
Scarce moves the leaves of yonder trees.

Then from the forest's thickest shade,
Scared at the sound my steps had made,
The ever-graceful kangaroo
Would bound, and often stop to view,
And look as if he meant to scan
The traits of European man.

There would I sit in the cool shade
 By some tall cedar's branches made,
 Around whose stem full many a vine
 And kurryjong* their tendrils twine;
 While beauteous birds of every hue—
 Parrot, macaw, and cockatoo—
 Straining their imitative throats,
 And chirping all their tuneless notes,
 And fluttering still from tree to tree,
 Right gladly hold corrobory.†

Meanwhile, perch'd on a branch hard by,
 With head askance and visage sly,
 Some old Blue-Mountain parrot chatters
 About his own domestic matters:
 As how he built his nest of hay,
 And finish'd it on Christmas-day,
 High on a tree in yonder glen,
 Far from the haunts of prying men:
 Or how madame has been confined
 Of twins—the prettiest of their kind—
 How one's the picture of himself—
 A little green blue-headed elf—
 While t'other little chirping fellow
 Is like mamma, bestreak'd with yellow:
 Or how poor uncle Poll was kill'd
 When eating corn in yonder field;
 Thunder and lightning!—down he flutter'd—
 And not a syllable he utter'd,
 But flapp'd his wings, and gasp'd, and died,
 While the blood flow'd from either side!
 As for himself, some tiny thing
 Struck him so hard, it broke his wing,

* The kurryjong is a tree or shrub abounding in alluvial land, the inner bark of which is used by the natives for the manufacture of a sort of cord, or twine, of which they make nets, bags, &c.

† Corrobory is a native word, and signifies a noisy assemblage of the Aborigines: it is also used occasionally in the colony, to designate a meeting of white people, provided their proceedings are not conducted with the requisite propriety and decorum.

So that he scarce had strength to walk off !
It served him a whole month to talk of !
Thus by thy beauteous banks, pure stream !
I love to muse alone and dream,
At early dawn or sultry noon,
Or underneath the midnight moon,
Of days when all the land shall be
All peaceful and all pure like thee !

The country along the course of the Hunter appears to have undergone considerable changes in its physical conformation from the inundations of the river. In some places the river has been diverted from its former channel, leaving a line of long narrow lagoons to designate the place of the ancient rushing of its waters ; in other parts of its course, lakes, whose existence cannot be doubted for a moment, have gradually disappeared, and been succeeded by grassy plains, islands, or peninsulas. This is particularly obvious at Patrick's Plains, a level tract of alluvial land of considerable extent, about thirty miles from the town of Maitland, as well as at the Green Hills at the head of the navigation. At the latter of these localities, the rivers Hunter and Patterson, or, as they are called by the black natives, the Coquun and the Yimmang, approach to within two hundred yards of each other, and, then diverging, enclose between their deep channels a peninsula of upwards of eleven hundred acres of alluvial land, forming almost a dead level. The peninsula, which the natives call Narragan, but which the late proprietor, Mr. Harris, a native of Dublin, called *the Phœnix Park*, is without exception the finest piece of land, both for quality of soil and for

beauty of scenery and situation, I have ever seen,—being entirely of alluvial formation, and bounded on all sides, with the exception of the narrow isthmus that connects it with the main-land, by broad and deep rivers, the banks of which are ornamented with a natural growth of the most beautiful shrubbery; while over its whole extent, patches of rich grassy plain, of thirty or forty acres each, alternate with clumps of trees or narrow beltings of forest, as if the whole had been tastefully laid out for a nobleman's park by a skilful landscape gardener. Mr. Harris has informed me, however, that in digging a well, somewhere near the centre of the peninsula, he found pieces of charred wood at the depth of nine feet from the surface, or beneath the present level of the river. It cannot be doubted, therefore, that the beautiful peninsula of Narragan was formerly a lake, and that it owes its existence to successive deposits of alluvium from the two rivers.

Previous to the introduction of steam-navigation in the year 1831, the uncertainty and danger of the existing mode of conveyance by water, between Sydney and Hunter's River, induced the majority of those who either resided in, or occasionally visited, the latter district, to travel by land. The distance is about one hundred and thirty miles, and the journey generally occupied three days.

The first time I travelled across the mountains—in the year 1827—I had a young man, who lived as a settler at Hunter's River, for my fellow-traveller and guide. Our horses had each a long tether-rope wound

about their necks, to fasten them with at night : we had each a valise or portmanteau affixed to the saddle behind, containing a small supply of provisions for the mountain-part of the road, and a boat-cloak lashed to it before, to serve as our covering when bivouacking in the open forest during the night. A tin quart-jug to make tea in on the mountains, and a pistol to strike a light, completed our equipment.

The country from Sydney to Parramatta—the first part of the road to Hunter's River, comprising a distance of fourteen or fifteen miles—is in general of inferior quality as to soil, though in some parts of it there appears to be good land : its vicinity to Sydney, however, renders it valuable : the greater part of it has therefore been cleared for a considerable distance on either side of the road ; and the number of neat cottages and comfortable villas that are seen at moderate intervals to the right and left indicate the neighbourhood of a bustling and thriving capital. Indeed, land of any kind adjoining a public and well-frequented road in the colony is always considered highly valuable ; for, though it should produce absolutely nothing to the agriculturist, it will at least serve to build a public-house on—a sort of crop which is cultivated in all parts of the territory in which it can possibly be grown with the least prospect of success. Indeed, the number of these nuisances, each of which produces £25 annually to the colonial revenue, is the most striking feature in the scenery of the Parramatta road, and speaks volumes for the colony. There are the *Spinning Wheel*, and the *Cheshire Cheese*,

and the *Cherry Gardens*, and the *Ship*, and the *Duke of Wellington*, and I do not know how many other *signs of the times* along the highway from Sydney to Parramatta; at each of which the poor emancipated convict-settler, who is just beginning perhaps to do well in the world, may easily get himself dead-drunk on returning home from Sydney market with the price of his load of wheat, or maize, or pigs, or poultry: and lest he should have resolution enough to drive his bullock-cart forward without stopping to bait, there are Jem Tindall and Dennis Flanagan, sitting quite comfortable in the tap with the window wide open, bawling out to him "to stop a bit, and they'll go along with him; for it is getting dark, and the bush-rangers are out."

I have heard of a poor settler of this class, who left the Hawkesbury with a well-furnished team and a well-filled cart of produce, coming to Sydney, and disposing of his goods at a fair price: unfortunately, however, he happened to meet in the market an old associate, who had arrived in the colony as a seven years' man and had just obtained his ticket of leave, and with whom perhaps he had often stolen in company in merry England. It was impossible to resist the temptation to adjourn with so old and *tried* a friend to one or other of the public-houses adjoining the market-place, to talk over their eventful histories. *There* the narrative of the ticket-of-leave man became so interesting, and the Bengal rum so enticing, that all thoughts of home and the Hawkesbury were thrown to the winds; and the price of one bushel of wheat was dealt

out after another, till the whole proceeds of his load were gone. He had still, however, a good cart and team, and the publican "knew a friend who had just need of such a thing at his farm." A bargain was accordingly struck—"no bad bargain either," the publican assured him—and the two friends continued to drink. "Haven't you a bit of land at the Hawkesbury?" said the publican to his oblivious guest, after he had sojourned at his house so long that the price of the team and cart was nearly exhausted. "Have I not?" said the settler: "as good a thirty-acre farm as in the township, every acre of it cleared." "I have a mind to buy a farm thereabouts," said the publican; "what would you say to thirty pounds for it?" "You mean to make a man of me all at once," said the settler sarcastically, recollecting that the price offered was not one-fourth the value of the farm; but he was not in the humour of higgling about the price of his property, and the publican, therefore, soon brought him to his own terms. The deed of sale was accordingly made out in due form; for it is easily done "where no stamps are used." The price was then paid before witnesses, in dollars at five shillings. The settler thought there was some mistake in that mode of reckoning the price, as he had certainly meant *sterling*; but the publican assuring him he had meant no such thing, the matter was *amicably* arranged. It was only, however, after the price of his farm had been reduced to ten dollars, that the settler awoke from his dream, and determined to proceed homeward. He left Sydney with a light purse and a heavy heart, imprecating curses upon himself

and on all the publicans of the colony at every public-house he passed on the way to Parramatta. He had resolution enough to pass through the *camp** without visiting any of its haunts of dissipation ; but on reaching the half-way house to Windsor, he met the Hawkesbury carts coming to Sydney with produce, and was tempted to “stop a bit” with some of his old neighbours, to learn how matters had been going on in his absence, and to explain the circumstance of his tarrying so long in Sydney. He had still his ten dollars remaining, and he had only to take one glass of the publican’s Bengal to have them no longer : in short, he very soon got dead drunk again ; and when he awoke from his stupor, he found he had been sleeping in an out-house, and that his good blue-cloth jacket and black beaver hat of colonial manufacture had been exchanged for an old canvass jacket and straw hat not worth a farthing. In this respectable attire he made the best of his way to the Hawkesbury, whose broad and quiet stream he had not gazed on for seven weeks before. His heart throbbed instinctively as he looked in the direction of his log-hut, at the door of which his affectionate Molly—I am sorry I cannot call her his wife, although she was the mother of his children—used to watch his return from Sydney. No Molly was there ; and when he reached the scene of desolation, he found that there was neither pig remaining in the sty nor stool in the cottage ! Leaning

* The *old hands*, as they are called in the colony, who still recollect the time when the towns of Sydney and Parramatta were mere *encampments* or rows of huts, generally prefer the old appellation.

on the door-post of his deserted cabin, with his head resting disconsolately on his shoulder, he continued for some time utterly lost in the bitterness of self-reflection ; till he was roused at length to fury and desperation by the unsolicited information he incidentally received from a neighbour passing his door. “ Molly,” said the rustic, observing that he looked rather sorrowfully—“ Molly has gone to live with M’Manus t’other side the river, and has taken the childer with her.”

Some of the largest estates and some of the largest fortunes in New South Wales have been gotten together in some such way as the one I have just exemplified, viz. *by doing business in the public line*. Nay, there are gentlemen in the colony—magistrates of the territory, and men of unquestionable honour, forsooth,—who are mean enough to speculate on this lamentable propensity of the lower orders to drunkenness, by building public-houses in the most alluring situations, and getting them licensed by the bench of magistrates in the district, and letting them at exorbitant rents !

The country between the Blue Mountains and the Pacific Ocean generally consists of a thin coating of sandy soil on a substratum of tenacious clay. The clay retains the moisture which percolates through the soil above it, and thus renders land comparatively productive, which in England would be good for nothing. This is quite the character of the cultivated land near the village or town of Parramatta ; the population of which, including that of its immediate neighbourhood, amounts to between six and seven thousand persons. Parramatta has a rural aspect, and there is an ap-

pearance of quiet and retirement about it which the town of Sydney certainly does not exhibit; and in George-Street, the principal street of the town, which is about a mile in length, the houses are all detached from each other, and have generally small gardens in front as well as in the rear. Government House, a plain building of two stories, occupies an elevated and commanding situation, within a pretty extensive domain commencing at the upper end of George-Street; and the Commissariat Store, a large brick-building on the bank of the river, to the course of which the street runs parallel, forms its termination at the other extremity.

The Hunter's River road branches off from the road to Windsor and the Hawkesbury, about three miles beyond Parramatta. For several miles onwards, the forest on either side of it consists chiefly of lofty iron-bark trees, the soil being moderately good, and the pasture in moist seasons highly luxuriant. About nine miles from Parramatta the road crosses the settlement of Castle-Hill, one of the earliest formed agricultural settlements in the territory. In this neighbourhood there is a large extent of cleared land of good quality, and the country has an undulating appearance, which relieves the eye, and is highly pleasing.

It was at this part of our route that my fellow-traveller and myself halted for refreshment at the cottage of the *ci-devant* cobbler, the particulars of whose history I have already related. After a ride of twenty-five miles from the settler's cottage through a very uninteresting and sterile country, in which sand-stone hills

and stunted trees were the only objects that the eye could discover, the sun was just beginning to descend beyond the distant Blue Mountains, when we were suddenly delighted with the view of the broad Hawkesbury River, winding along in a deep valley far beneath us. In the upper part of its course the Hawkesbury flows through a champaign country, on which its own successive inundations have gradually deposited many feet of the richest alluvial soil : but, for sixty or seventy miles towards the ocean, the mountain ridges on either side of it approximate so nearly, that the river has scarcely room to flow between them ; and it merely leaves a small patch of alluvial land, sometimes on the one side and sometimes on the other, as it sweeps more closely to the opposite bank. At the point, however, at which the road to Hunter's River crosses its channel, the valley of the Hawkesbury is of considerable width : the river, which at this part of its course is at least a quarter of a mile broad, suddenly changes its direction ; and, as it sweeps close to the precipices on the one side, it leaves a delta of alluvial land of several hundred acres on the other of the highest fertility. Nearly opposite this point of land it also receives a tributary stream called *the First Branch*, on either bank of which there are numerous small settlers located for a distance of many miles, as the rich alluvial land which the settlers chiefly cultivate is more frequently met with on the *Branches* than on the main river. The delta I have just mentioned belongs to Mr. Solomon Wiseman, a very prosperous settler, whose large two-story stone-house had been most opportunely transformed, at the

time I refer to, into a comfortable inn ; the situation of which, overlooking the delta and the river, and facing the mountains on the opposite bank, is interesting and romantic in the highest degree.

The rays of the setting sun were glowingly reflected from the smooth glassy surface of the broad river, when this beautiful scene suddenly burst upon our view. Patches of wheat nearly ready for harvest, and fields of Indian corn, appeared to the right and left along the main river, and, as far as the eye could trace it among the mountains, on either bank of its tributary stream ; while the yellow tints of the one, and the deep healthy green of the other, beautifully contrasted with the sombre shades of the forest, and the gray rocks that were ever and anon peering forth along the sides of the mountain. The road, from the high level from which we had first seen the river to the plain below, was formed by the late colonial government, across deep ravines and along the edge of frightful precipices, with prodigious labour, and doubtless at very great expense. It is an easy task, however, to descend a mountain by a good road. We were speedily at the foot of the precipices, and safely lodged in the inn. Our evening repast was light and pleasant. Shortly after it was finished, we invited our host and hostess to attend our evening devotions, and we then retired to our separate places of repose, to resume our journey at day-break.

The first rays of the rising sun were just beginning to gild the summits of the lofty ridges on either bank of the Hawkesbury, when we led our horses on the following morning towards the river, which we crossed in a

punt or ferry-boat constructed for the conveyance of men and cattle. The road on the opposite bank is still more precipitous, and has obviously required greater labour for its construction: numerous convicts were at work on it as we climbed the mountain. Having slowly gained the summit of the ridge, we again mounted our horses, and trotted at a brisk pace along an excellent road, over a mountainous and sterile country, for about twelve miles: we then dismounted for breakfast, near a small stream of limpid water, in a valley called *the Twelve-Mile Hollow*, unsaddled our horses, and, fixing the ends of their tether-ropes, turned them out to browse for a little on the miserable vegetation which the place afforded. My fellow-traveller then struck a light with his pistol, and immediately kindled a fire, on which he placed the tin-jug or quart-pot, which he had strapped for the purpose to his saddle-bow on our leaving the small settler's, and which he had previously filled with water from the brook. When the water boiled, he measured the requisite quantity of tea in the palm of his hand, and threw it into the pot; and then, adding a quantity of sugar, he broke off a twig from the dead branch of a tree, which he humorously told me was called *a spoon* in the Australian dialect, and stirred the mixture. When the tea was sufficiently boiled, he carried the jug to a little pool of water, in which he placed it for a few minutes, to cool it,—and we then breakfasted, not less comfortably than romantically.

For a mile or two from the place where we halted for refreshment, the road, which was only a footpath at

the time I refer to, though it is now a good road throughout, lay along the bottom of the valley; but we were soon obliged to dismount again to climb up the precipitous side of a steep mountain, to gain the summit of what the colonists call "a dividing range." These ranges, which are flanked on either side by deep and sometimes impassable ravines, traverse the country in many places for a great distance, either in a northerly and southerly or easterly and westerly direction; and the traveller has therefore merely to ascertain the proper range, to ascend to its summit, and to follow it in all its circumvolutions, to reach the proposed termination of his journey; for, if he should attempt to pursue a direct course by descending into the gulleys, he would in all probability lose his way, and perhaps perish of hunger. The summits of these ridges are just broad enough for the construction of a carriage-road, and they are often so level, that a person on horseback can trot along them for miles together without the slightest interruption.

The stage we had now commenced was eighteen miles in length; but the frequent mountings and dismountings, to climb or to descend the rocky sides of the mountains, made it appear much longer. In many parts of the route the road was so very bad, that I am sure most English horses would have refused to face it: it seemed as precipitous in some places as the stair of a church-steeple; and how the poor horses could either ascend or descend, I was frequently at a loss to conceive. The colonial horses, however, are remarkably adept in such situations: my own was an Australian by birth,

and was so trustworthy and so much *au fait* on the mountain-road, that I had only to throw the reins on his neck at the dismounting places, and he would either ascend or descend the steepest and ruggedest precipices, as quickly as I could possibly follow him, without ever leaving the track.

Along the miserable valley of the *Twelve-Mile Hollow*, and up the sides of the rugged and sterile mountain beyond it, to a height, I should suppose, of not less than fifteen hundred feet above the level of the sea, I was exceedingly gratified at observing innumerable specimens of one of the most splendid flowers in the whole botanical kingdom,—I mean the *Doryanthes*, (or spear-flower, as the word signifies,) commonly called by the colonists the *gigantic lily*. This splendid flower shoots up a single upright stem, about an inch and a half in diameter, from a tuft of blady and acuminate leaves, to the height of from six to twelve feet, which all at once expands at its highest point into a bunch of beautiful blood-red flowers considerably larger than a man's head. The contrast which this splendid flower, which would doubtless constitute one of the most attractive ornaments in the gardens of kings, forms with the stunted trees around it, and the sterile sandy soil from which it springs in the crevices of the rocks, is striking in the highest degree; and it strongly recalled to my recollection the beautiful lines of the poet, which were surely never more appropriate—

Full many a gem of purest ray serene

The dark unfathom'd caves of ocean bear:

Full many a flower is born to bloom unseen,

And waste its sweetness on the desert air.

At the termination of our second stage, we arrived at a place, of which the mere name is a sufficient description—*The Hungry Flat*: it affords neither bread for man nor grass for horses, and its only recommendation is a stream of delicious water, at which both the horse and his rider gladly and luxuriously quench their thirst. We again unsaddled our horses at this resting-place, and allowed them to roll themselves on the sand, or to pick up any thing in the shape of sustenance they could find among the bushes. My own horse, however, being an old traveller, and having more good sense than his four-footed companion, thought it better to await the opening of my little portmanteau than to swallow a few nauseous leaves of the gum-tree, and accordingly received a piece of a *damper*—the colonial name of an unleavened wheaten cake baked in the ashes—with neighing satisfaction.

In half an hour we were again on horseback, trotting along towards the valley of the Wollombi, at the head of which we arrived towards sunset, after traversing about eight or ten miles more of sterile mountainous country. The valley of the Wollombi extends in a northerly direction towards Hunter's River for about thirty miles: it is bounded on either side by mountain-ranges covered with timber to their summits, and throws off numerous *arms*, as the settlers call them, to the right and left, some of which extend for a distance of twenty or thirty miles among the mountains. These arms, as well as the principal valley, abound in excellent pasture, and afford sustenance for numerous flocks of sheep and herds of cattle; and the contrast, on

descending the mountain, from a region of absolute sterility into a fertile valley, in which the hungry horses are ever and anon tempted to steal a mouthful of grass as they trot along to the next resting-place—is equally striking and agreeable. The numerous cattle-tracks, however, in this part of the country, and the comparative thinness of the timber, rendered the road particularly intricate to inexperienced persons, about the time I allude to.

About a year after my first journey over-land to Hunter's River, I had occasion to visit that district a second time. I was accompanied by a respectable proprietor of land at Hunter's River, and by a convict-servant of my brother's: I was the only one of the party, however, who had ever travelled the road before; and, as it was winter, and consequently quite dark when we reached the foot of the mountains after a long and fatiguing day's journey, I acknowledged myself quite unable to point out the way along the valley, and proposed to trust ourselves to the guidance of my horse, of whose ability to act creditably in the responsible capacity in which I proposed to employ him, I felt perfectly confident. To this proposal, however, my fellow-traveller, who had but recently arrived in the colony, was unwilling to consent, and he therefore led on in what appeared to him the broadest track. In the direction of that track we rode along between two ranges of mountains for seven or eight miles. At length, however, we lost the track, and ascertained beyond all doubt that we had also lost our way. As it would have been absolute madness to have

either gone forward or attempted to retrace our steps in such circumstances, we agreed to bivouack for the night on the side of a hill near a pool of water; and accordingly, unsaddling our horses, and fastening the ends of their tether-ropes to trees in the neighbourhood, we struck a light and kindled a large fire, each of us collecting for that purpose numerous branches of fallen trees; and our convict-servant speedily made us a very comfortable tankard of tea. As soon as we had finished our repast, I read a chapter from a small Greek Testament, which I had carried with me as a pocket-companion, by the light of our large fire; and we then knelt down together to offer up our evening devotions to the God of the hills and the valleys, the dry land and the sea. Our convict-servant — a tall brawny Scotchman, who was remarkably attentive to our comfort—then gathered an armful of fern, (*Scoticè braken*,) of which there was abundance in the neighbourhood, for each of us to repose on; and accordingly, wrapping ourselves in our boat-cloaks, we lay down to sleep as near the fire as possible, for it was exceedingly cold. For my own part, I was unable to sleep, and lay for several hours listening to the horses browsing at hand or the owls whooping in the distance, or gazing at the smoke of our large fire curling upwards, and losing itself among the branches of the tall trees around us. About one o'clock in the morning, the moon arose over the tops of the mountains; and as soon as she had attained a sufficient height to illuminate the valley, I arose also, and, leaving my two fellow-travellers sound asleep by the fire, walked first a mile or two in one

direction, and then a mile or two in another, to endeavour to find the footpath we had lost trace of the evening before. Bush-roads, as they are called in New South Wales, are formed by the person who first traverses the forest, notching the trees with an axe in the direction of his route ; and the way to ascertain which of two doubtful tracks is the public road, or a mere cattle-track, is to examine which of them has the trees notched along its course. I could find, however, neither notched trees, nor the marks of any horses' footsteps but our own, along the various tracks I examined in the clear moonlight ; and I was therefore obliged to return to our large fire, and await the rising of the sun. At day-break we again mounted our horses ; and, retracing the track we had travelled along the preceding night, we were fortunate enough to regain the road, and were enabled to pursue our journey.

On my first journey along with the Hunter's River settler,—who was better acquainted with the route,—we rode about nine miles down the valley after sunset, and bivouacked on the declivity of a hill near a pool of water. We happened to be near the sheep-station of a respectable free-emigrant settler ; and the convict-shepherd or overseer in charge of it—a very obliging sort of person—brought us a bucket to hold water for our tea, and a piece of salt pork to relish it. He roasted the pork for us by using a branch of a tree sharpened at one extremity as a substitute for a fork, and holding it within a reasonable distance of our bonfire. After breakfasting in the morning, we acknowledged his kindness by giving him all that remained of our mountain-

store, as we had again got within the limits of civilization.

The valley of the Wollombi consists rather of pasture than of arable land, and during the years of drought it afforded plentiful subsistence to numerous flocks of sheep and herds of cattle. In the upper part of it, a chain of ponds, forming in one place large sheets of water, gives an interesting character to the landscape; in the lower part of it, clumps of trees, alternating with considerable patches of naturally clear land, diversify the scene. The late colonial government established about ten families of the Royal Veteran Corps in the lower part of the valley of the Wollombi, giving each of them about a hundred acres of land, with one or two cows and rations for a certain period, and building each of them a good cottage or log-house. Families of the same corps were also established, during General Darling's government, at Maitland and Patterson's Plains, in the district of Hunter's River, at Bong Bong in Argyle, and in the district of Illawarra. Soldiers, it is true, generally make but indifferent farmers: they are neither industrious in their habits nor economical in their domestic arrangements; and they usually sell their land as soon as their length of possession entitles them to do so: but the attempt on the part of the late colonial government was undoubtedly praiseworthy, and the plan pursued for the comfortable settlement of the veterans highly judicious.

Every habitable district in the colony has its tribe of aborigines or black natives; and many of these tribes

are not unfrequently in a state of warfare with each other, though at peace with the Europeans. The Wollombi tribe had a deadly feud a few years ago with the tribe inhabiting the adjoining district of Illalong; and the latter, I was informed by a respectable settler in the valley the last time I travelled over-land to Hunter's River, had a short time before testified their vindictive feelings in a most ferocious manner. Three boys of the Wollombi tribe had been induced by three different settlers in the valley to reside in their respective families: they were marked out as objects of vengeance by the Illalong natives; and, accordingly, about a hundred of the latter, who were seen at sunset one evening at Illalong, travelled a distance of between twenty and thirty miles during the night—a thing almost unheard of among the aborigines—and arrived in the neighbourhood of the settlers' houses in the Wollombi very early on the following morning. Two or three of their number were detached to each of the houses to entice the boys out. The latter, it appeared, were apprehensive at first that their neighbours had come to their vicinity with no good intentions; but, being at length prevailed on to join the *corrobory* of Illalong natives, the latter suddenly formed a circle around them, and, attacking them simultaneously, beat them to death with their *waddies*. Immediately after the perpetration of this deed of murder, the Illalong natives returned to their own district. My informant happened to pass the assemblage just as the boys were dying; but, as he was alone and unarmed, his inter-

ference with the infuriated natives would have been dangerous to himself, and could have been of no avail to their unfortunate victims.

In the course of our third day's journey, I called, along with my fellow-traveller, at the houses of several respectable settlers on our way; and at sunset I had the pleasure of reaching my destination on the fertile banks of the Hunter.

Hunter's River was named in honour of Governor Hunter, during whose administration it was discovered: its two tributary rivers were called William's and Patterson's Rivers, in honour of Colonel William Patterson, of the New South Wales Corps. Preposterously enough! for all the three rivers had native names much more beautiful, and highly significant, as all the native names are, from time immemorial. Indeed, every remarkable point of land, every hill and valley in the territory, has its native name, given, as far as can be ascertained from particular instances, from some remarkable feature of the particular locality; insomuch that the natives can make appointments in their forests and valleys, with as much accuracy in regard to place, as an inhabitant of London in the streets of the metropolis. Thus *Jerran*, or *Frightful*, is the very appropriate name of a frightfully precipitous mountain near Liverpool Plains; *Bardo Narang*, or *Little Water*, is the name of a small stream or creek that empties itself into the Hawkesbury; and *Cabramatta*, or *Cabra-pool*, is the equally appropriate and descriptive name of a chain of ponds abounding with the *cabra*, an insect of the *teredo* family, resembling in appearance the contents of a

marrow-bone, which insinuates itself into the hardest timber under water, and of which the aborigines make many a delicious meal. Surely then, when there are such unexceptionable and really interesting names affixed already to every remarkable locality in the country, it is preposterous in the extreme to consign these ancient appellations to oblivion, in order to make way for the name of whatever insignificant appendage to the colonial government a colonial surveyor may think proper to immortalize. Such, however, was the system uniformly pursued in the colony by all the predecessors of Major Mitchell, the present enlightened and talented Surveyor-General of New South Wales; who, I am happy to say, has set his face against this egregious folly, and has thereby in great measure *reformed* the colonial nomenclature, by retaining the native name of any remarkable locality whenever it can be ascertained, and by using English names very sparingly. Indeed, if the native names are to be changed in any instance, let them be displaced only for those of men who deserve to live in the memory of the colonists, and not for such *nomina obscurorum virorum*,* as are at present stuck in every direction over the whole chart of the territory. For my own part,

I like the native names ; as Parramatta,
And Illawarra, and Woolloomoolloo ;
Nandowra, Woogarora, Bulkomatta,
Tomah, Toongabee, Mittagong, Murroo ;
Buckobble, Cumleroy, and Coolingatta,
The Warragumby, Bargo, Monaroo ;

* Names of obscure persons.

Cookbundoon, Carrabaiga, Wingycarribbee,
The Wollondilly, Yurumbon, Bungarribbee.

I hate your Goulburn Downs, and Goulburn Plains,
And Goulburn River, and the Goulburn Range,
And Mount Goulburn, and Goulburn Vale. One's brains
Are turned with Goulburns! Pitiful—this mangle
For immortality! Had I the reins
Of government a fortnight, I would change
These common-place appellatives, and give
The country *names that should deserve to live.*

I had frequently inquired of intelligent settlers residing on one or other of the three rivers in the district of Hunter's River, what the native names of these rivers were; and I confess I was not a little surprised to find that none of them ever had the curiosity to ascertain them, or could give me any information on the subject. I happened, however, when riding alone in the district one day, about seven or eight years ago, to overtake a solitary black native who was travelling in the same direction, and whose name he told me was *Wallaby* Joe*—a name which had probably been given him by some of the convict-servants of the neighbouring settlers. I found him rather an intelligent and somewhat communicative personage; for on asking him, among a variety of other questions bearing on the native mythology, the native names of the three rivers, he immediately told me that the main or Hunter's River was called Coquun; the first branch, or William's River, Dooribang; and the second, or Patterson's River, Yimmang. These names are now pretty well known in the district. The first of them—Coquun

* Wallaby is the native name of a small species of kangaroo.

—is not likely to displace the English name, nor is it desirable that it should ; although the native name is occasionally preferred by the Australian versifier, as the following quotation from another colonial pastoral, by the author of the “ Ode to Yimmang Water,” will evince. But, with all due respect for the memory of Colonel William Patterson, whose most unclassical name is already sufficiently immortalized in the township of *Patterson's Plains*, I think it high time, and in every way desirable, that the native names of the rivers Yimmang and Dooribang should forthwith be restored.

Exhausted by the summer sun,
The school-boy fords the broad Coquun ;
For then the slow-meandering stream
Shrinks from the hot sun's fiery beam,
And like a wounded serpent crawls
From Cumleroy to Maitland Falls.
But when the autumnal deluge swells
Each little brook in yonder dells,
And twice ten thousand torrents pour
From cliff and rock with deafening roar ;
O, then he rolls with manly pride,
Nor steam nor storm can stem his tide.

Although the reader will be able to form a general idea of rural life and of farming operations in New South Wales, from the desultory remarks scattered over the preceding pages, it may not be improper to give a more particular description of an Australian farm, and especially of one combining in some measure the various characteristics of an agricultural, grazing, sheep and dairy establishment on a pretty large scale. If I had been equally well acquainted with the present state and

progressive improvement of any other farm of a similar kind in the territory, I should certainly not have selected one belonging to a near relative of my own: but as all the information I have acquired of the interior of the colony has been obtained chiefly in the course of rapid visits to its different settlements in the discharge of clerical duty, I cannot be supposed to have had equal opportunities for observation in any other quarter. Besides, as the farm I allude to was not taken possession of till the actual commencement of the long drought,—the most unfavourable period for agricultural operations which the colony has ever experienced; and as the improvements effected upon it have rather been the result of persevering industry and judicious economy, than of a large outlay of capital; and as the convict-servants employed on it have to my certain knowledge become for the most part, and indeed almost without exception, useful, obedient, and contented servants, under a system of management, which any person of a conciliating disposition, accompanied with the requisite degree of firmness, could easily put in practice, and would find equally successful;—I do not know that a fitter instance could have been selected.

My brother, Mr. George Lang, arrived in New South Wales as a free emigrant in the year 1821, and obtained a grant of a thousand acres of land, which he selected on the banks of the Yimmang or Patterson's River, about five miles from the town of Maitland, in the district of Hunter's River: as he held an appointment, however, in the Commissariat department, he did not immediately take possession of his land, but retained

that appointment till the month of December, 1824, when he resigned it with the intention of proceeding forthwith to his farm ; but, being seized in the mean time with an inflammatory fever, he died in Sydney in the month of January following, in the twenty-third year of his age, and during my own absence in England. The land subsequently fell to my younger brother, Mr. Andrew Lang, who had arrived in the colony a few months before as an agricultural emigrant, and who afterwards obtained an order for a grant of land on his own account from Earl Bathurst, which he selected in the same district, to the extent of twelve hundred and eighty acres, about thirty miles farther up the river. My surviving brother did not take possession of the land on which my late brother proposed to settle, till January, 1826 ; and, as he had to reside in Sydney the whole of that year, he entrusted it to the management of an emancipated convict overseer, who proved a very inefficient servant, and did very little in the way of improving it. Nothing in reality could be said to have been effected on the land till the beginning of the year 1827, when my brother settled upon it himself.

My deceased brother's grant—which he had named *Dunmore*, as a mark of filial affection towards a revered relative still alive, to whose Christian principles and uncommon energy of character I shall ever be under the strongest obligations—consisted partly of a belt of heavily timbered alluvial land, extending about a mile and a half in length along the windings of the river, which at that part of its course and for several miles higher up is both deep and broad—sufficiently so in-

deed for the largest vessels—although towards the ocean, which is about forty miles distant by water, there are shallows which a large vessel could not get over. Beyond the belt of alluvial land, there are two large lagoons, nearly parallel to the course of the river—the frequent resort of innumerable wild ducks, and occasionally of pelicans and black swans. The beds and banks of the lagoons consist of the richest alluvial soil; the rest of the farm being good forest pasture-land, very lightly timbered.

The settlement of the Scots Church in Sydney having been attended with much greater difficulty and expense than was anticipated, and certain influential Scotsmen in the colony having rather augmented than diminished the burden that was thus entailed on its friends, my relatives had been induced to make common cause with myself, in bringing whatever capital and credit they could command in the colony to bear upon the ultimate accomplishment of that object: my brother was consequently left with comparatively little capital to commence with upon his land; but he was fortunate enough to escape the influence of the *sheep and cattle mania*, which was then just at the highest; for while various other settlers, who had also but recently commenced farming at Hunter's River at that period, mortgaged their land to buy large herds of cattle to stock it, he remained satisfied with the few he already possessed, and determined not to buy more till he could pay for them. With these cattle a dairy establishment on a small scale was formed on the farm, while agricultural operations were commenced on the alluvial land. The

dairy produce, which was then bearing a high price in the colony, was regularly forwarded to Sydney to meet the various items of expenditure incurred in the maintenance of the convict-servants on the farm.

These servants, whose number was gradually increased from four to upwards of thirty,—as additional men could from time to time be obtained from the colonial government, and as maintenance could be raised for them from the land—were variously employed in felling and burning off trees for the clearing of land for cultivation, or in grubbing up the roots of those that had been already felled; in ploughing, sowing, reaping, threshing, and grinding wheat; in planting, hoeing, pulling, and threshing Indian corn; and in the numberless other operations that require incessant attention and incessant exertion on a large agricultural establishment in New South Wales, where the soil, the intending emigrant will bear in mind, is not hidden from the view, as in the British provinces of North America, for six or seven months together, under an impenetrable covering of frozen snow; but where the plough and the hoe and the sickle are kept in successive and unremitting motion all the year round.

In this way several hundred acres of heavily-timbered land have been successively cleared and cultivated; the stumps of the trees, which are usually left standing in the first instance, being for the most part rooted or burnt out. The cleared land is uniformly cropped either with wheat or maize.

The wheat is generally ground into flour, and sold in that state in the town of Maitland in the immediate

neighbourhood ; the maize being either forwarded for sale to Sydney, or used in feeding horses, or in fattening pigs and poultry on the farm. Potatoes and tobacco are also grown for sale, besides supplying the consumption on the farm, which, in the latter article especially, is by no means inconsiderable. The dairy produce during the four summer months, November, December, January, and February, is cheese, which is sold in Sydney by the hundred weight or ton ; during the rest of the year it consists of butter, which is forwarded to Sydney by the steam-boat in a fresh state every week, and sold in the market. The price of that article of produce varies from one shilling to eighteen-pence, or even two shillings a pound.

In the course of the year 1832, when the cattle on my brother's farm had increased to a herd of about three or four hundred, he purchased a flock of fine-woolled sheep, which at that time cost fifteen shillings each, with the intention of forming a grazing establishment on his own grant of land, which had previously been lying waste. The dairy-cattle being accordingly separated from the herd, all the rest, with the sheep and young horses, were sent, under charge of a hired overseer and two convict-servants, to form a grazing station at the distance of thirty miles.

In the mean time, as several hired mechanics with their families were occasionally employed on the farm, besides free sawyers and other hired labourers, all of whom received rations of flour, &c. as part of their wages, it was found that there was a considerable loss of time and waste of material in grinding wheat for so

many people—about sixty in all—with the common steel mills in general use in the interior : a horse-mill was therefore erected, and afterwards a windmill ; a threshing-mill, and a mill for the manufacture of Scotch barley—the first that had been constructed in the colony—being subsequently appended to the original machinery.

A garden, in which all the sorts of fruit-trees I have enumerated in a preceding chapter were successfully cultivated, had been formed on the farm by a free emigrant Scotch gardener, hired for the purpose ; but the site being within reach of the inundations of the Hunter, it was completely destroyed by a high flood in the year 1830. A second garden, however, was afterwards formed beyond the reach of inundations, with a vineyard of about an acre in extent, and an extensive orchard. The gardener was one of the machine-breakers, transported from the agricultural counties of England in the year 1831 : he had been employed in the same capacity for many years, in the garden of a clergyman in Shropshire, and was assigned to my brother on his arrival in the colony. He is, without exception, the most industrious man I have ever seen ; and one of the commissions I was charged with on leaving the colony for England, in the year 1833, was to endeavour, if possible, to get out his wife and child, as he told me he had no doubt of being able to do well both for himself and his family in New South Wales. I forwarded his letter on my arrival in London, requesting the party to whom it was addressed to communicate with me on the subject to which it related, as I had it in my power to facili-

tate the attainment of the poor man's desire; but I received no answer, and poor Joseph had never heard of his wife and child up to the time of my leaving the colony again for England in July, 1836.

On my return to the colony in the year 1834, I found that my brother had purchased a valuable property of about 1400 acres adjoining his own, making the whole extent of his farm on the Yimmang or Patterson's River upwards of 2400 acres, with a navigable river frontage of upwards of five miles, and an extent of arable land of the first quality amounting to 1500 acres, of which a third is now cleared and under cultivation. The crop for the year 1835 and 1836 was as follows:—

Land under wheat, 150 acres; produce, 3500 bushels, or $23\frac{1}{2}$ bushels per acre; price of wheat in the colony during 1835 and 1836, from eight to twelve shillings per bushel.

Land under maize, 164 acres; produce, 8000 bushels, or $48\frac{1}{2}$ bushels per acre; price of maize, from four to five shillings per bushel.

Land under barley, 25 acres; produce, 600 bushels, or 24 bushels per acre; price of barley, five shillings per bushel.

Potatoes—ten tons sold at £10 per ton, besides the consumption on the farm.

Tobacco—all used on the farm.

Dairy produce sold to the amount of at least £200.

Pork, reared chiefly on maize, sold to the amount of upwards of £200.

Wool sold to the amount of about £300, the farm having hitherto been chiefly agricultural.

The vineyard, comprising about an acre of ground, produced upwards of two tons of grapes.

The first dwelling-house erected on my brother's farm was formed of rough slabs of split timber, the lower ends of which were sunk in the ground, the upper extremities being bound together by a wall-plate: it was thatched with reeds or coarse grass, and contained three apartments—a parlour or sitting-room, a store-room, and a bed-room—each of which, however, was occasionally used for other purposes. The kitchen was detached, and was inhabited by a convict-servant and his wife. The bare ground served as a floor, and the interstices between the slabs were plastered with a composition of mud, the walls being white-washed both within and without. This homely building, which I am sure would not cost £20, was afterwards furnished with glass windows and a floor of rough boards, and served as the farm-cottage for three or four years. By that time considerable improvement had been effected on the land, and a suitable situation had been pitched on for the future and permanent dwelling-house. A range of out-buildings of stone, intended for a kitchen, store-room, &c., was accordingly erected in that situation, and fitted up and occupied as a second temporary residence; the wooden building being then given up to the farm-overseer. At length, a permanent dwelling-house was erected adjoining the out-buildings, on an elevated and commanding situation, between the two lagoons, and about half a mile from the river. It is a two-story house, built of cut stone, having a verandah or covered portico all round.

In short, the maxim of all prudent settlers in the salubrious climate of New South Wales is the one divinely recommended by King Solomon, nearly three thousand years ago, to the Jewish colonists whom he seems to have settled in some of the conquests of his father David; for it can scarcely apply to the case of a country already settled: "Prepare thy work *without*, and make it fit for thyself *in the field*; and AFTERWARDS *build thine house*."—Proverbs, xxiv. 27. A prudent settler, who expends his capital in improving his land, and in securing a profitable and regular return for his labour in the first instance, will be able, in a very few years after his first settlement, to build a much better house than he is likely to erect on his farm when there is no other improvement effected upon it; and the inconvenience of being but indifferently lodged in the mean time is but a small matter comparatively in a climate like that of New South Wales.

The advantages enjoyed in such cases as the one I have just described, over those likely to be enjoyed by respectable free emigrants arriving in the colony at present, are, 1st, The more eligible tenure of the land; which, in the case of emigrants arriving in the colony a few years ago, was granted in portions of five hundred to two thousand five hundred and sixty acres at a small quit-rent, but which is now uniformly sold by the colonial government at a price of not less than five shillings an acre. 2nd, Superior locality; the farm I have just described being situated in the centre of a comparatively populous district, and possessing the inestimable advantage of steam-navigation.

At the same time, in other respects equally import-

ant, the circumstances of the colony are much more favourable now than they were ten years ago for the settlement of a respectable family, either in the interior or on the coast. The same amount of capital which it required to stock a large farm moderately with horses, sheep, and cattle, ten years ago, will probably be required to stock the same extent of land now; but although the settler will now have to pay for his land, he will have whatever number of free farm-servants or labourers he may choose to carry out with him landed in the colony free of cost. Besides, the cost of maintaining a family for twelve or eighteen months after their arrival is at present much less than it was at the period I refer to, while the price of wool—the staple article of colonial produce—is higher than ever. To the sheep or cattle farmer, distance is a matter of very small moment; for cattle travel to the market themselves; and the cost of conveying wool to the shipping-port, from a great distance in the interior, is comparatively trifling. On the other hand, the extension of steam-navigation along the eastern coast of New Holland will very soon render it a matter of no consequence to the agriculturist, whether he is fifty or five hundred miles from the capital, provided he is within reach of a navigable river, or harbour, or good roadstead, on the coast. There will very shortly be a steam-boat plying regularly between Sydney and Hobart Town, the capital of Van Dieman's Land: in that case an agriculturist would be just as favourably situated for the colonial market at Twofold Bay, at the southern extremity of the Australian land, as at Hunter's River.

In short, I see no reason, why persevering industry,

or rather vigilance and economy, should not lead to equally favourable results in the present circumstances of the colony, with those to which they have evidently led in the instance I have mentioned, as well as in many others, with which I am not so intimately acquainted. Let the reader not imagine, however, that there is any thing to be gained in New South Wales without persevering industry conjoined with prudent management and economy. Wherever our lot is cast in the wide world,—whether we are called to earn a mere livelihood by contending with the unpropitiousness of the seasons and the stubbornness of the soil, or to struggle for far higher interests with hostile principalities and powers,—this is the uniform condition of mortality,—

Nil sine magno

Vita labore dedit mortalibus ;

or, in other words, “In the sweat of thy face shalt thou eat bread, till thou return unto the ground.”

CHAPTER III.

NOTICES OF THE SETTLEMENTS OF BATHURST
AND ILLAWARRA.

“The man waxed great, and went forward, and grew until he became very great: for he had possession of flocks, and possession of herds, and great store of servants.”—Genesis, xxvi. 13.

THE road to Bathurst, or, as it is more frequently called, the *Great Western Road*, branches off from the Parramatta road at the eastern extremity of the town of Parramatta. At the distance of a few miles from Parramatta is the settlement of Prospect, the residence of several small settlers, and of a few families of a higher class. In this neighbourhood, the country, which is of an undulating character, exhibits that singular feature which I have already mentioned, and which is elsewhere observable in the colony; the ground on the declivities and on the summits of the hills being of inexhaustible fertility, while in the hollows or lower levels it is comparatively unproductive. I have myself frequently observed, when riding in the interior, either before sunrise or after sunset during the winter months, that while the temperature on the high grounds was

mild and pleasant, it was extremely cold in the hollows ; perhaps in consequence of the colder and denser air sinking, from its greater specific gravity, to the lower levels. The black natives of the colony have observed this peculiarity in the Australian climate ; for instead of making their encampments for the night, and kindling their diminutive fires, in the gulleys or hollows, as one should have supposed they would have done, they more frequently select as their temporary resting-place some elevated situation. I should not imagine that this atmospherical peculiarity has any thing to do with the nature of the soil in such localities, but it may perhaps have some influence on the vegetation.

Beyond the settlement of Prospect, the Western Road skirts along the old government agricultural establishments of Toongabbee and Rooty Hill, and the houses of respectable landholders are observable at irregular intervals to the right and left. At length, the Blue Mountains are seen, through an opening in the forest, towering upwards, at a distance of ten or twelve miles directly in front ; the road running for a considerable distance, in a due westerly direction, as straight as an arrow, and the lofty trees on either side of it forming a vista somewhat similar to that which is formed by two corresponding rows of pillars in an old Gothic cathedral. The intervening valley of the Hawkesbury then opens gradually on the view, presenting a large extent of champaign country, through which the river Nepean, spreading fertility in its progress, like the ancient river of Egypt, winds romantically along the base of the mountains.

The hospitable mansion of Sir John Jamison, of Regentville, occupies an elevated and commanding situation at a considerable distance to the left of the road, having a great extent of rich alluvial country in front; the Blue Mountains, with their dark mantle of forest, to the left; and the river Nepean flowing placidly between. The river is crossed in a punt at Emu Ferry, about thirty-five miles from Sydney; the deserted government establishment of Emu Plains—where it is intended to form a town, for which indeed the locality is admirably adapted—being situated between the river and the mountains. From Emu Plains the mountain road ascends Lapstone Hill—a steep and difficult ascent of four miles; the summit of which, with the level ground beyond it, forms a sort of pedestal for the higher mountains to spring from. There is a comfortable inn on the top of Lapstone Hill, at which travellers generally halt for their first day's journey, the distance from Sydney being about forty miles. The first time I travelled to Bathurst, however, my fellow-travellers and myself rode a few miles farther, and halted at a military station called *Spring-wood*, the accommodations on the mountains being then very inferior to what they are now. Our host at Spring-wood was a corporal of the third regiment, or Buffs, now in India; the wooden walls of whose humble dwelling were ornamented with a portrait of “*Lord Anson*,” a picture of the “*West India Docks*,” another of “*Christmas drawing near at hand*,” and a third exhibiting “*the Stages of Man's Life compared to the twelve months of the year*,” the homely character and style of which may be inferred

from the circumstance of their being for sale, at sufficiently low prices, at the "Wholesale Toy and Marble Warehouse, Great St. Andrew's Street, Seven Dials."

A serjeant or corporal of the 48th regiment had been stationed some time before the period I allude to at Cox's River, another military station on the Bathurst road: he had been an industrious man, and had accumulated some property both in goods and cattle in the colony—as much even as amounted to £300: but the regiment being ordered to India, and no interest or entreaty being available to procure his discharge, he disposed of his property; and on coming to Sydney, in a state of mind which the reader will doubtless commiserate, he commenced drinking the price of it with some of his old companions in right earnest. In this inglorious employment he was unfortunately so successful, that in the space of six weeks he had left himself quite pennyless, and was consequently ready to embark on equal terms with the rest of his company for India. Though I cannot by any means defend the soldier for thus sinking under the pressure of adversity, I cannot but pity him; and I cannot help regretting, moreover, the operation of a system, which thus deprived the colony of an industrious and deserving individual, who would in all likelihood have reared a virtuous family, and been a blessing to his neighbourhood, for the purpose of landing an additional drunken soldier on the ramparts of Fort George.

There is another subject of regret connected with the military system of the mother country, as it regards the

colonies and the Indian empire. The regiments of the line that are stationed in the Australian colonies, of which there are now three in New South Wales and one in Van Dieman's Land, are uniformly sent to India after five or six years' service in these colonies. At the expiration of that period, there is always a numerous flock of interesting sprightly children belonging to the regiment about to proceed to India, all of whom must of course follow their parents to that deadly climate, where both parents and children are mowed down like the standing corn before the sickle of the reaper. Now there might surely be some better and more humane arrangement effected without detriment to His Majesty's service; the families to be allowed, for instance, to remain in the colony, and a few unmarried recruits to be forwarded from the mother country to supply their place. It would doubtless be the interest of the colony of New South Wales to reimburse the mother country from the colonial land-revenue for all the additional expense which such an arrangement would cost to procure so large a periodical accession to its free population. We have had colonial projectors who would willingly have lodged a *detainer* upon the children in all such cases, and allowed the parents to proceed to India with their respective regiments, placing their orphaned offspring at agricultural nursery establishments in the interior of the colony, to be conducted on the *soup-kitchen* or *Owen and parallelogram* style: but although persons of this class are evidently of the order of cold-blooded animals themselves—an order, which the naturalists inform us

is entirely destitute of natural affection—British soldiers, it must not be forgotten, are of the order *mammalia*, having warm blood and breathing by lungs, and are consequently possessed in a high degree of the feelings and affections of men. Their children, in short, are not to be torn from them and penned up in a separate stock-yard, like a number of colonial calves, to be fed till they reach maturity out of a common pail.

From the top of Lapstone Hill to a short distance beyond Spring-wood the ascent is so gentle as to be scarcely perceivable: the country consists chiefly of forest-land of inferior quality; the trees are lofty, and for the most part of the iron-bark species; and though the inferior vegetation is scanty, there is food for horses and cattle. For the next thirty-five or forty miles, however, the country which the road traverses consists of immense masses of sandstone-mountain piled over each other in the wildest confusion, like Pelion on Ossa; while trees of moderate elevation and of an endless variety of botanical families are seen in every direction, *moored in the rifted rock*. The mountain range traversed by the Bathurst road is the dividing range that separates the numberless deep gulleys that communicate with the valley of the Grose river—one of the parent streams of the Hawkesbury—to the right, from a similar series of impassable ravines, communicating with the valley of Cox's River above its junction with the Warragumby, or rather the Wollondilly,* to

* The reader will easily perceive that the last-mentioned of these rivers is the only one of the three that has been permitted to retain its

the left. The road has consequently to follow all the sinuosities of the range ; so much so, that the course of a traveller on the mountains very much resembles that of a ship beating up against a head-wind ; for he finds, to use the maritime phraseology, that although his *log* indicates a rapid progressive motion, he has after all made but a very few miles of *westing*.

Having left Spring-wood long before day-break, on a cold winter morning, when the ground was covered with hoar-frost, we had reached the summit of a lofty eminence called *King's Table Land*, nearly four thousand feet above the level of the sea, in time to behold the glorious phenomenon of the rising sun gradually lifting up the dark veil of night from the valley of the Hawkesbury, as it lay outstretched in silent loveliness far beneath us ; while in a few minutes after the clear river skirting along the yellow corn-fields in the valley seemed like a border of silver on a web of cloth of gold. The oblique rays of the sun, that fell powerlessly in the mean time on the top branches of the lofty trees in the numerous deep gulleys to the right and left, served only to render visible the dismal darkness of these gloomy ravines, the precipitous sides of some of which are not less than two thousand feet in height, and which had doubtless never been trodden by the foot of man.

After a smart ride of three or four hours, my fellow-travellers and myself arrived at the *Weather-boarded*

mellifluous and doubtless highly appropriate barbarian appellative. Truly the colonial literati will ere long have good reason to exclaim with Cato, "*Vera nomina rerum amisimus.*"—Sallust, *De Conjur. Catilin.*

Hut, which in 1826 was merely a military station, with a keen appetite for breakfast; but we were not a little mortified to find that there was nothing to be had at the station but pure water, every particle of flour having been consumed on the preceding day; and two soldiers, who had been despatched by the serjeant in command to the nearest settlement for a supply, not having returned. Our mortification was perhaps heightened, when we recollected that the corporal's wife at Springwood had offered to make us a comfortable breakfast before we started in the morning; but we could not mend the matter; and we had consequently to postpone our morning's repast till the evening, when it was calculated we should reach a comfortable inn at the western extremity of the mountains, where we proposed to rest for the night.

On crossing the mountains a second time, after an interval of six years, I found a comfortable inn at the *Weather-boarded Hut*, where my fellow-traveller and myself halted for breakfast, after a ride of upwards of twenty miles from the inn near Lapstone Hill, where we had rested the preceding night. There is a stream of fresh water, sufficient in ordinary seasons to turn a mill, in the valley of the *Weather-boarded Hut*, which, at the distance of two or three miles down the valley, suddenly precipitates itself over a precipice, whose perpendicular height cannot be less, I should imagine, than double the height of the ledge of rocks across the channel of the great Canadian River, which forms the celebrated cataract of Niagara. After breakfast I proposed to my fellow-traveller to walk down to the Falls, as our horses

required two or three hours' rest before resuming our journey; but the length of the morning's ride and the heat of the day (for it was then January, or midsummer in the colony,) induced him to prefer awaiting my return in the inn. I accordingly got two boys who belonged to the station for guides, and walked towards the Falls, where I was happy to find that the magnificence of the scenery far more than compensated for the additional exertion.

The valley of the Weather-boarded Hut terminates abruptly at the Falls, in a much more extensive valley, crossing its direction at right angles, the boundary of the latter valley being a line of perpendicular cliffs of immense height. At the point where the rivulet leaps over the precipice, the cliffs recede considerably, forming two bold headlands of fearful elevation, and enclosing a basin of prodigious depth, in which the tops of lofty trees are seen many hundred feet below the edge of the precipice. On gaining the edge of the precipice, the waters of the rivulet seem to shrink instinctively from the frightful leap to which they have been conducted in their course down the valley; each individual drop appearing endowed with a separate volition, and seeming determined to shift for itself; and the whole mass of fluid resolving itself into what appears like innumerable particles of frozen snow. Were the Ottawa, or any of the other mighty tributaries of the river St. Lawrence, to descend the valley of the Weather-boarded Hut, I am confident its fall over the precipice I have thus imperfectly described would take precedence of the Falls of Niagara: as it is, however, I have been told, that

when the rivulet is flooded, the scene is of surpassing magnificence.

About twenty miles beyond the Weather-boarded Hut, the mountain-range traversed by the Great Western Road terminates abruptly in a steep and almost precipitous mountain, called Mount York, upwards of three thousand six hundred feet above the level of the sea: and as the range presents in every other direction a line of perpendicular rocks of several hundred feet in height towards the valley on either side, it was absolutely necessary to descend this mountain, to reach the lower level beyond it. To effect this object, the original projectors of the Bathurst Road seem to have imagined that the most expeditious way of getting down the mountain was to descend headlong, for the original road was as precipitous as can well be imagined. The superintendence of the roads of the colony being afterwards entrusted to Major Lockyer, of His Majesty's 57th regiment, a great improvement was effected on the descent of Mount York, a new road being formed under Major Lockyer's direction, in which the descent was diminished to one foot in every four. The acclivity, however, was still distressing for cattle proceeding towards Sydney with heavily-laden drays; and the descent was so dangerous, that the drivers of bullock-carts had uniformly to cut down a tree on the summit of the mountain, and fasten it as a drag to the cart-wheels before attempting it. At length, Major Mitchell, the Surveyor-General of New South Wales, whose talents in this most important department of engineering are of the highest order, being appointed by

His Majesty's Government to the general superintendence of the roads of the colony, a bold and original expedient for gaining the lower level was happily devised and successfully executed, to the incalculable benefit of the inhabitants of the extensive and important country in the western interior.

Parallel to Mount York, Major Mitchell observed another mountain of equal elevation called Mount Vittoria, which he found connected with the former mountain for a certain distance from their base by a natural dyke or narrow ledge of rocks stretching across the intervening abyss. He therefore threw down a portion of the rocky summit of Mount York till he reached the summit-level of the connecting dyke, and then carrying the road in a sloping direction along this natural causeway to Mount Vittoria, lengthened out the remaining descent by cutting a gently inclined plain along the precipitous side of the latter mountain to the valley below. It was one of those bold conceptions that occur only to men of original genius, and it can only be duly appreciated on the spot by a skilful observer of the striking locality. The dyke or ledge of rocks, on which the road now crosses the intervening valley, is so narrow, and withal so elevated, that it seems quite aerial, and the traveller can scarce divest himself of a feeling of insecurity in passing along it. The valley to the eastward is designated the Vale of Clywd, after a well-known valley in North Wales, which it is thought to resemble in its general outline. I recollect admiring the beauties of that justly celebrated vale from the ruins of Denbigh Castle, during a solitary pedestrian

tour which I happened to make in North Wales, on being let loose upon the world from a Scottish University in the year 1821 : but I confess I experienced far higher emotions—emotions of an overpowering and spirit-stirring character—when sitting on horseback and contemplating the sublimer features of the Australian valley from the pass of Mount Vittoria.

Two miles and three quarters in point of distance were saved to the travelling public of the colony by this important public work, while the descent was diminished from one foot in every four to one in every fifteen : it is evident therefore that the talents of an officer of Major Mitchell's ability, in so important a department of the public service, are of vast consequence to the community at large, in a country of such anomalous geological formation as New South Wales. I am sorry to state, however, that, in consequence of some of those petty jealousies, dislikes, and antipathies, which are found so frequently to affect the motions of the state-carriage in the colonies, Major Mitchell was laid entirely on the shelf, in as far as regarded the laying down of the lines of roads, or the prosecution of geographical discovery in the interior, during the late colonial administration. Any person's line of road was preferred to that officer's, and thousands and tens of thousands of the public money were consequently expended to no purpose, in clearing and forming lines of road, which will now be superseded by others of far less cost and of far greater utility. I am happy to state, however, that the present Governor has acted in this important particular in greater accordance with the

interests of the community. It is doubtless the highest mark of wisdom on the part of a ruler to avail himself of eminent talent for the advancement of the general welfare, in whatever department of the public service or in whatever quarter it is evinced : it is an evidence alike of intellectual weakness and of something implying a betrayal of trust, to commit the weightier concerns of the public to drivelling incapacity.

To the westward of Mount Vittoria, the country consists chiefly of hills and valleys watered by running streams, and abounding in excellent pasture for sheep and cattle : there has consequently been a considerable extent of land located in this part of the route ; and the different roads to Bathurst—of which there are at present no fewer than four, three of which, however, have nearly been superseded by Major Mitchell's new line—conduct the traveller to many interesting spots, where prosperous farming establishments have been formed in the wilderness, in the neighbourhood of which the bleating of sheep and the lowing of oxen are heard in the dewy morning, enlivening the inland “ woods and wilds ” of Australia, and recalling the cherished recollections of rural scenes far beyond the annual northern journey of the sun.

The highest land on the Blue Mountains' road occurs at the distance of ninety or a hundred miles from Sydney ; the road crossing the dividing range that separates the eastern from the western waters in that part of the route. There is a singular circumstance connected with these waters not undeserving of attention. Those flowing to the westward, or the interior of the continent,

abound in a species of perch, or *cod*, as they are called in the colony, of which the waters flowing to the eastward are entirely destitute; and the ultimate direction of any stream of unknown destination found winding along the trackless ravines of the intervening mountains, can be determined with the utmost certainty from this circumstance. The cod caught in the river Lachlan are large and well-flavoured, and are preserved by drying them in the sun. I have seen them in this state at the table of a respectable settler at Bathurst, who had them brought as a delicacy from his grazing station, at a distance of seventy-five miles overland. The gentleman I allude to related an amusing anecdote connected with Australian fishing, which had fallen under his own observation a short time before. He had been out for several days on an excursion in the interior, with one or two other settlers of the Bathurst district, and two or three black natives: one of the latter had a complete suit of slop-clothing, consisting of a gray jacket and trowsers, which had been given him by my informant, to whom it seems he was much attached, and whose name he had even adopted as a mark of respect. In the course of the expedition, the party caught a quantity of fish in one of the western rivers; and after roasting as many of them as they required at the time, the rest were entrusted to Jackie to carry to the next resting-place. Jackie had no fish-basket, but he had ingenuity enough to find a substitute; for, cutting off both of the sleeves of his jacket close by the shoulder, and tying up the ends of them, he packed them both full of fish,

and slung them round his neck, perfectly unconscious of the ludicrous appearance he exhibited.

The view of the plain of Bathurst from the elevated land to the eastward, from which it is first seen at a great distance, is singularly interesting. The eye is so much accustomed to forest scenery in New South Wales, that the sight of clear land is naturally associated with the idea of a vast expenditure of human labour, and the view of an extensive plain naturally destitute of timber consequently affects the traveller with a mingled emotion of surprise and delight. The plain of Bathurst is about nineteen miles in length, and from six to eight in breadth, containing about one hundred and twenty square miles of naturally clear land. It is by no means a dead level, but consists rather of a series of gentle elevations with intervening plains of moderate extent, the surrounding forest-country being generally very thinly timbered, and patches of forest stretching at irregular intervals a considerable distance into the plains, like points of land into a lake.

It were no easy task to account for the existence of such open plains in the interior of a country so uniformly covered with timber in all other localities as the territory of New South Wales, and especially in situations where the soil is evidently by no means unfavourable for the growth of timber. For my own part, I am inclined to believe, that the plains of Bathurst, and others of a similar character in the colony, both to the northward and southward, have at some former period been covered with timber, in common with the other

parts of the territory ; but that the timber having been in great measure destroyed in the course of some long drought similar to the one experienced during the government of General Darling, the frequent burning of the rich long grass on the plains by the black natives has gradually destroyed the remainder of the forest, and prevented the growth of any succeeding generation of young trees. In confirmation of this idea, I observed depressions in some parts of the plains, exactly similar to those which are formed by the burning out of a large tree, while in other places perpendicular holes of two or three feet in depth, rather more than sufficient to admit a horse's leg, and for that reason somewhat dangerous to horsemen, are not unfrequently met with, and seem to indicate the places in which smaller trees of hard timber had gradually wasted away. On the other hand, there are parts of the territory, as for instance in the upper portion of the district of Hunter's River, where the country is but lightly timbered, in which all the standing trees are evidently of great age, but in which there are no young trees springing up to supply the places of those that are dying away. In short, to use the words of Humboldt, which, however, I quote merely from memory,—“ The distribution of organized beings over the surface of the globe is a problem too difficult for man to solve in the present state of his knowledge and of his powers.”

I have elsewhere observed that the plain of Bathurst is traversed in the direction of its length by the river Macquarie, which pursues a meandering course along the plains, having its banks occasionally ornamented

with a handsome though rather melancholy-looking tree, called the swamp-oak. During my stay at Bathurst, I ascended a conical hill of about three or four hundred feet in height, called Mount Pleasant, situated on the extensive estate of Major-General Stewart, on the left bank of the river, from the summit of which the scenery reminded me of the view from Stirling Castle in Scotland. The level plain lay extended to the right almost as far as the eye could reach, like a large lake with a belt of forest skirting its deeply-indented shores, while numerous flocks of sheep and herds of cattle were roaming in every direction over its luxuriant pasture. The river, which had traversed its whole extent through an avenue of melancholy swamp-oaks, seemed as if it were mournfully winding its silent way to the distant and unknown interior, like a young adventurer weeping unwillingly as he leaves the joyous scenes of his boyhood for some far remote and foreign land. The houses of respectable settlers, with their extensive farm-yards and out-buildings, their orchards and their patches of cultivated land, were seen at irregular distances all over the plains; while the numerous turf-built, thatched, and white-washed cottages of the smaller settlers enlivened the scene.

The great extent of naturally clear land of superior quality formed the chief attraction of the Bathurst district when the stream of free emigration had begun to flow to the shores of Australia: but the difficulties of the mountain-road, which at that period were manifold and prodigious, could only be overpowered by men possessed both of energy and capital. The Bathurst country

was therefore for the most part apportioned out in grants of two thousand acres each, to families of respectability; and I am happy to state that the district has hitherto maintained its superior character, both in the state of harmony in which the respectable settlers appear to live with each other, and in the regard they manifest for the ordinances of religion, and for the religious instruction of their families and servants. As nearly one half of the respectable families of the district belong to the Presbyterian communion, there are both an Episcopal clergyman and a Presbyterian minister of the Church of Scotland stationed at Bathurst; the Episcopal Church being situated on the east, and the Presbyterian or Scots Church on the western side of the river. The Episcopal clergyman is the Rev. Mr. Keane, a graduate of the University of Dublin; the Scotch clergyman is the Rev. K. D. Smythe, A. M.; and it gives me sincere pleasure to add, as a valuable testimony in their favour, that the worshipping of God in their own families—a much-neglected service, the benign and humanizing influence of which, however, cannot but be seen and felt wherever it is duly observed—is generally practised by the more respectable settlers of both communions on the plains. I wish it were only in my power to give an equally favourable testimony of a single other district similarly circumstanced in the territory. A Roman Catholic priest has recently been appointed for the Bathurst district, and a Wesleyan missionary has been stationed in the vicinity of the settlement during the past year.

Besides the respectable families I have just alluded

to, there are many small settlers residing on different parts of the plains of Bathurst, of whom not a few have made themselves comfortable and independent, though others are distinguished only for their reckless dissipation. A settlement of veteran soldiers was formed by the colonial government several years ago, at a place called the *Black Rock*; and the indulgences that were afforded them might certainly have placed them eventually in comparative independence: but a military life seems, in the great majority of instances, to have a thoroughly depraving influence on the common soldier; and, of the few individuals that escape that influence, the majority are absolutely good for nothing in any other department of life. Such, at all events, has hitherto been the uniform result of all the attempts of Government, in the way of forming settlements of veteran soldiers in the colony. A number of small settlers of a more hopeful character were located a few years ago in *Queen Charlotte's Vale*, a valley communicating with the plains on the farther side of the river, and approaching the nearest in its original state to the *beau idéal* of natural scenery of any thing I have ever beheld. It is traversed for several miles by a rivulet which empties itself into the river Macquarie, the native grass on either side of which has a verdant appearance quite refreshing to the eye; and trees of moderate height, and of highly graceful foliage, are disposed at irregular intervals over its whole extent, so as to produce the most picturesque effect imaginable. I called at the cottage of a respectable free emigrant Scotch settler who had been long in the colony, but

had only recently settled with his large and highly reputable family at the entrance of the vale. His cottage was built of turf, and covered with thatch ; but being plastered with a composition of mud, and white-washed both within and without, it had an air of neatness and comfort quite attractive. On the open lawn in front of it there were two or three trees of a peculiarly ornamental character ; and as I had reason to suspect that in that spirit of irreconcilable enmity to all standing timber, which is almost uniformly evinced by the Australian colonists, their extirpation had already been determined, I could not help interceding for their preservation ; telling my worthy friend at the same time, that if he cut them down notwithstanding, he would deserve to be summoned before the Kirk Session, or Presbyterian Parochial Ecclesiastical Court, for a misdemeanour.

The locality occupied by the public buildings at Bathurst, around which a town of considerable size and importance is now in rapid progress of formation, is called *the Settlement*. In the immediate neighbourhood of the Settlement a few small grants of land were apportioned by the late colonial government as homesteads, to various respectable proprietors who already possessed extensive tracts in the surrounding country ; and it is greatly to be regretted that the practice had not been earlier introduced and more generally followed. It would have brought all the respectable proprietors of a large extent of country within a moderate distance of each other, and within reach of the means of religious instruction, and of an education for their children, superior

to what families residing far apart from each other can obtain; while their numerous flocks and herds could have ranged over the surrounding pastoral country for hundreds of miles as freely as they do now. Indeed, the peculiar adaptation of the plains of Bathurst for such a purpose is so strikingly obvious, and the adoption of that purpose would have proved so evidently conducive to the general welfare of the colony, that it is almost marvellous that the idea should not have suggested itself to the last two Governors of New South Wales; by both of whom the Crown lands of the Bathurst district were, with only a few inconsiderable exceptions, recklessly and irrecoverably alienated in large tracts, without the least regard for the real welfare of its future inhabitants. I should be sorry to insinuate that any proprietor on the plains has more land than he ought to have had: I only maintain that the general interests of the community required that individuals should not have had so much as they actually obtained in that particular locality; and that the Governors I allude to were, therefore, greatly in fault, in overlooking so important a consideration.

Several of the more respectable wool-growing settlers in the Bathurst district can afford to run carriages or curricles of their own; but the expense of maintaining an equipage in New South Wales is much less than in England. This of course gives the plains rather a brilliant appearance—very different I apprehend from that of most of the back-settlements of Upper Canada; and the cottages of some of the settlers (for such is the general style of building in the interior) would do credit

to some of the more tasteful suburbs of the British metropolis. I was particularly struck with the admirable taste and even elegance displayed in the cottage and grounds of Captain Piper, a Scotch gentleman from Ayrshire, well-known in the colony, who has resided with his large family for several years past in the Australian Highlands. Captain Piper's cottage is situated on a gentle eminence to the eastward of the plains, over which it commands an extensive and highly interesting view; the prospect in front being bounded in the distance by a range of hills of moderate elevation in the western interior: indeed I do not know, that "the banks an' braes o' bonnie Doun," the well-known classical locality in the west of Scotland, so beautifully celebrated in the Doric dialect of Ayrshire by the poet Burns, can exhibit features more interesting or more beautiful than those of the Australian locality which Captain Piper has named after it* to keep it in remembrance. I spent an afternoon at Captain Piper's during my visit to Bathurst, and I was much gratified to find that the *evening oblation* was offered up with all due solemnity, in the midst of a numerous family circle, on the going down of the sun. Shortly afterwards, when we were just about taking leave, to pursue our course across the plains to our head-quarters in the clear moonlight, a musical band, consisting entirely of a few of the farm-servants, who had each learned to play on some musical instrument, struck up a lively Scottish air under the verandah, which, I confess, was, on my own part at least, equally unexpected and animating.

* Alloway Bank.

The sorts of wood most frequently met with in the forest-ground nearest the settlement are those designated by the colonists the white gum, the honey-suckle, the dwarf-box, and the swamp-oak : I cannot pretend to assign them their botanical names. From the lower side of the leaves of the white gum a substance of a whitish colour exudes in considerable quantity, and is found lying on the grass underneath the branches, in the dewy morning, like hoar-frost. It is called *manna* in the colony ; but whether its chemical qualities are exactly similar to those of the manna of commerce, I do not know : it is of a sweetish taste, and is by no means unpleasant ; but its relish reminds one too much of the medicine-chest to be particularly agreeable.

The openness of the country around Bathurst is rather more favourable for hunting and shooting than most other parts of the territory, with the exception of Argyle and Liverpool Plains. The kangaroo and the emu, a bird resembling the ostrich, are hunted with dogs : they are both feeble animals, but they are not altogether destitute of means of defence : in addition to their swiftness of foot, which they possess in common with the hare and the ostrich of other countries, the emu has great muscular power in his long iron limbs, and can give an awkward blow to his pursuer by striking out at him behind like a young horse ; while the kangaroo, when brought to bay by the dogs, rests himself on his strong muscular tail ; seizes the dog with his little hands or fore feet ; and, thrusting at him with one of his hind feet, which is armed for the purpose with a single sharp-pointed hoof, perhaps lays his side com-

pletely open. When hotly pursued, the kangaroo sometimes takes to the water, where, if he happens to be followed by a dog, he has a singular advantage over all other quadrupeds of his own size, from his ability to stand erect in pretty deep water. In this position he waits for the dog, and when the latter comes up close to him, he seizes him with his fore feet, and presses him under the water till he is drowned. The bustard or native turkey is occasionally shot in the Bathurst country: it sometimes weighs eighteen pounds, and it differs from the common turkey in the flesh of the legs being white, while that of the breast is dark-coloured. The quail, the snipe, the wood-duck, the black or water-duck, the curlew, the mutton-bird, and the spurwing plover also abound in the neighbourhood. At the period of my first visit to Bathurst, in the year 1826, there was a club or society in great vigour in the district, called *The Bathurst Hunt*. It was formed chiefly for the extirpation of the native dog, which was then rather troublesome in the district on account of its sheep-killing propensities; and the members had each to appear at all meetings of the Hunt in a green coatee with silver buttons, a red vest and white under-clothing, the lower extremities being encased in top-boots. I have never been able to learn who the man of genius was who had invented a uniform sufficiently grotesque for a member of the French Institute; but I was not sorry to learn, on my second visit, after an interval of six years, that the Hunt had died a natural death, the members, I presume, having arrived in the mean time at years of discretion.

The plain of Bathurst is upwards of two thousand one hundred feet above the level of the sea—an elevation which compensates for ten degrees of latitude, the vegetation at Bathurst being exactly similar in its character to that of Van Dieman's Land, ten degrees farther to the south. This elevation is remarkably conducive to the general health of the district, Bathurst being unquestionably the Montpelier of New South Wales. The cheeks of the children beyond the mountains have a rosy tint, which is seldom observable in the lowlands of the colony; and diseases which affect the human frame in other parts of the territory are there in great measure unknown. For persons exhibiting a tendency to *phthisis pulmonalis*, medical men consider the climate of Bathurst as perhaps the most favourable in the world, both from the mild temperature and the rarefaction of the air. A gentleman possessed of considerable property in the Bathurst district had long been a victim to an asthmatic affection in the mother country, and was so ill during his residence in Sydney, that he could not venture to go to bed, but had uniformly to spend the night leaning his head on his arms at a table: on ascending the Blue Mountains, however, he found, to his great surprise and delight, that the distressing affection had completely left him. He resided for several years in perfect health in the Bathurst district; but in occasionally coming to Sydney on business, he found that the affection uniformly returned when he reached a certain level in descending towards the low country on the coast. As the presence or absence of the asthmatic affection did not depend in the

least on the state of the weather, the case can only be accounted for from the greatly diminished denseness of the atmosphere on the elevated table-land of the western interior. In short, I am inclined to believe that there is no country on the face of the globe so well adapted for the residence of persons either suffering under, or threatened with, affections of the lungs, or for the refitting of shattered India constitutions, as the district of Bathurst in New South Wales. The climate of Argyle, however, and of the high land generally to the south-westward, is exactly similar to that of Bathurst, and, of consequence, equally salubrious.

The direct distance from Sydney to the town of Wollongong, in the district of Illawarra, or, as it is frequently called, *the Five Islands*, from five small islands on that part of the coast, is not greater than forty-five miles; and the communication with the capital, except for travellers, is managed chiefly by water: but as the intervening country is intersected by numerous ravines, as well as by several arms of the sea, the road to Illawarra describes two sides of an equilateral triangle, of which the coast line forms the base—running for a certain distance to the south-westward, and then suddenly breaking off eight points to the south-eastward after heading the ravines. The distance by land is therefore about seventy miles, the road passing through the towns of Liverpool and Campbelltown.

The road to Liverpool, which is twenty miles distant from Sydney, turns off to the left from the road to Parramatta, about five miles from the capital. It is

exceedingly uninteresting; the country on either side being a dense forest, and the soil for the most part poor and unproductive. The patches of cultivated land which are fallen in with on the Liverpool road are chiefly in the vicinity of public-houses—and these are by no means few in number—by the way-side. The town of Liverpool is situated at the head of the navigation of George's River, which empties itself into Botany Bay, and forms the grand thoroughfare for the extensive country to the southward and westward. The chief object of attraction which it exhibits is a handsome hospital, erected during the government of Sir Thomas Brisbane, which ought certainly never to have occupied such a locality. Indeed, the convenience of the public seems to have almost uniformly been the last thing considered in the erection of such edifices in New South Wales. A plain temporary wooden building, that could easily have been erected at an insignificant cost, would have been of incalculable benefit as a district hospital to an extensive neighbourhood in the colony: and if a colonial surgeon had been appointed to visit two or three such hospitals—each situated in the centre of its own district—the health of the colony would have been much more effectually secured, than by erecting an extensive and costly edifice in a distant and inconvenient locality: for the Liverpool Hospital, intended for an extensive tract of country to the south-westward, and the Newcastle Hospital, intended for the extensive district of Hunter's River, are each as preposterously situated for the purposes they were respectively intended to serve, as the Custom-House in the British metropolis,

which is intended chiefly for the shipping on the Thames, would have been, if it had been erected at the distance of fifteen miles out of London on the Great North Road. And the reader is not to suppose that the evil in the cases I have just mentioned has been merely imaginary, or is objectionable only on the score of inconvenience and expense ; for unfortunate individuals, of the class of assigned servants or convict-labourers, have actually died on their way to these hospitals, merely from exposure to the hot sun, perhaps for two or three days together, on a bullock-cart.

The distance from Liverpool to Campbelltown is thirteen miles ; and along the whole intervening line of road there are neat cottages at irregular intervals belonging to respectable resident proprietors, the appearance of which greatly enlivens the scenery. In the immediate neighbourhood of Campbelltown, the country, which consists of a succession of hills and dales, has much more of an English aspect than most other parts of the territory, and the proportion of cleared land is very considerable ; Campbelltown having been the centre point to which the efforts of Governor Macquarie were long and systematically directed, in attempting to form a race of small farmers out of the emancipated convict-population of the colony. The district of Campbelltown, however, is unfortunately situated in regard to water ; the soil of the surrounding country being strongly impregnated with alum, which renders the water brackish. But the evil is not without remedy ; and a substantial proprietor in the neighbourhood, Mr. Thomas Rose, of Mount Gilead, has deserved well of the colonial public in

demonstrating the efficacy of that remedy, and the practicability of its general application. In the neighbourhood of Campbelltown, and in many other parts of the colony, the country is intersected by numerous water-courses, which in rainy seasons contain running streams of considerable size, but which are quite dry at all other times. Across one of these water-courses, Mr. Rose formed a strong embankment sufficiently broad at the surface to serve the additional purpose of a cart-road from bank to bank. The result has equalled his highest anticipations : the embankment has permanently dammed up a large quantity of water of excellent quality, sufficient to afford an abundant supply at all seasons for his farming establishment, besides forming an ornamental sheet of water in the vicinity of his residence. Water dammed up in this way, or even collected in large basins formed for the purpose, is not liable to become putrid in New South Wales, as it frequently does in similar circumstances in Great Britain. There are many farms in the colony that have no other water than what is thus collected from the surface during heavy rains in natural basins or *water-holes*, as they are called by the colonists ; the water in such holes or basins remaining pure and wholesome to the last drop. It would be difficult to account for the formation of these natural basins or reservoirs, some of which are of great depth, and have more the appearance of artificial than of natural productions ; but their existence in all parts of the territory is a blessing of incalculable value to the colonial community.

About three miles beyond Campbelltown to the right

is the dairy-farm or estate of Glenlee, to which I have elsewhere alluded. There is a large extent of cleared land on the Glenlee estate, the greater part of which has been laid down with English grasses, the paddocks being separated from each other by hedges of quince or lemon-tree—the usual but seldom-used colonial substitutes for the hawthorn. The country is of an undulating character, and the scenery from Glenlee House—a handsome two-story house, built partly of brick and partly of a drab-coloured sandstone—is rich, and most agreeably diversified. On the opposite bank of the Cow pasture River, which forms the boundary of Mr. Howe's estate, is the much more extensive estate of Camden, the property of the late John Macarthur, Esq., and one of the largest and best-conducted establishments in the colony. Indeed, Mr. Macarthur's family deserve the highest credit for the highly judicious mode of treatment they have uniformly pursued towards the numerous convict-servants on their estate, and for the interest they have uniformly taken in promoting their comfortable settlement on their attainment of freedom. The Messrs. Macarthur, Jun., who are both magistrates of the territory, have lately erected a splendid mansion on the Camden estate, and their extensive gardens are a model to the colony. The vineyard at Camden is the most extensive and the most forward in the country. There are many other estates, however, besides those I have just mentioned, belonging to respectable resident proprietors in this part of the colonial territory; and I know no part of the world, in which families of moderate capital, and pos-

sessing ability to manage their affairs with the requisite discretion, could more easily assemble around them a large proportion of the comforts, I might even add the elegancies and the luxuries, of rural life.

From Campbelltown to Appin, a distance of eleven miles, the country continues to exhibit the same pleasing appearance of fertility, and the proportion of cleared and cultivated land continues very considerable. About six miles from Campbelltown to the left of the road is Brookdale cottage, the residence of Hamilton Hume, Esq., a Scoto-Australian, whom I have already had occasion to mention, and to whom the colony is under considerable obligations. The natives of New South Wales are noted for their ability to find their way in the forest, in places where the most sagacious European would be in the utmost danger of being irrecoverably lost; and Mr. Hume possesses this quality of his countrymen in a superior degree, conjoined with a singularly enterprising spirit and indomitable perseverance. It was this gentleman who first ferreted his way, through a series of miserable jungles and across rugged and unpromising ravines, to what is now called *The New Country*, or the district of Argyle; and I have already mentioned, that he has since reached Bass's Straits, in company with Mr. Hovell, a respectable settler in the same vicinity, by crossing the country to the southward. Mr. Hume uses neither compass nor quadrant; but, like the Indians of America, he manages to find his way through the forest to any particular locality with a precision often unattainable by those who are most skilful in the use of both. - Mr. Hume is de-

scended from one of the collateral branches of the ancient and noble family of the same name, to which the dormant earldom of March on the Scottish border anciently belonged.

The remainder of the old route to Illawarra is still a mere bush-road, the regular Government road, on which a gang of convicts have been employed for some time past, being not yet completed. For many a long mile from Appin the country is exceedingly sterile and uninteresting; but, on gaining the summit of the Illawarra Mountain—a lofty and precipitous range running parallel to the coast, and supporting the elevated table-land to the westward—the view is indescribably magnificent: for all at once, the vast Pacific Ocean, stretching far and wide to the eastward, bursts upon the view, while almost right under foot it is seen lashing the black rocks that form its iron boundary to the westward, like an angry lion lashing the bars of his cage with his bushy tail, or dashing its huge breakers on the intervening sandy beaches in immense masses of white foam, and with a loud and deafening noise. In short, after the long and uninteresting ride from Appin, the scenery from the summit of the Illawarra Mountain is overpoweringly sublime.

The district of Illawarra consists of a belt of land inclosed between the mountain and the ocean, increasing in breadth to the southward, and, though generally thickly wooded, for the most part of exuberant fertility. The descent of the mountain, which is probably about fifteen hundred feet high, is the most precipitous I have seen used in the colony for a road, and horses that are

unaccustomed to the route betray the utmost unwillingness to proceed in certain parts of it. The rider uniformly dismounts at the top of the mountain, and precedes the horse, holding the end of the bridle in his hand; but on reaching any part of the descent more than usually steep, the horse occasionally stops short from absolute fear, and the rider has actually to pull him down by the bridle at the risk of his rolling over him.

I had occasion to visit the district of Illawarra along with my brother, who had never been in that part of the colony before, in the month of May, 1836. After leaving the stage-coach at Campbelltown, thirty-three miles from Sydney, we were detained for several hours before we could procure horses for the remainder of our journey, and it was consequently quite dark ere we reached the summit of the Illawarra mountain. We attempted the descent, however, in the darkness; but after having got down a little way, we found it too hazardous to proceed, and were accordingly obliged to spend the remainder of the night, which was extremely cold, on the mountain, sitting at the roots of trees with our horses' bridles in our hands.

There is a resting-place for travellers ascending the mountain, about half-way up, called *the big tree*: it is a dead tree of immense size, the internal parts of which have been consumed by fire, although it is still of about a hundred feet in height. My fellow traveller and myself entered into the hollow, into which there is an entrance on one side as wide as a church-door, with both our horses; and, although the latter were both of

the largest size of riding horses in the colony, I perceived that there was room enough for a third rider and his steed. My fellow-traveller told me, indeed, that on a former journey he had actually been one of three horsemen, all of whom had, together with their horses, been *accommodated* within the *big tree* at the same time.

The vegetation of the district of Illawarra is very peculiar, and has more of a tropical character than that of other districts in the colony considerably farther to the northward. This may arise partly from its being sheltered from the cold westerly winds of the winter months, by the mountains that run parallel to the coast. I presume, however, it is owing chiefly to the nature of the soil, the district exhibiting various indications of a volcanic origin. The peculiarity I have just mentioned is observable even on the mountain, where the rich variety of the vegetation contrasts beautifully with the wildness of the scenery; the fern-tree shooting up its rough stem, of about the thickness of the oar of a ship's long-boat, to the height of fifteen or twenty feet, and then suddenly shooting out a number of leaves in every direction, each of four or five feet in length, and exactly similar in appearance to the leaf of the common fern or *braken*; while palms of various botanical species are ever and anon seen shooting up their tall slender branchless stems to the height of seventy or a hundred feet, and then forming a large canopy of leaves, each of which bends gracefully outwards and then downwards, like a Prince of Wales's feather, the whole tree strongly resembling a Chinese

mandarin's umbrella. Baron Hugel, an Austrian nobleman, who resided for some time in New South Wales during the year 1834, devoting himself to scientific researches, observed that the scenery and vegetation of the district of Illawarra strongly reminded him of scenes he had visited in the interior of Ceylon.

The species of palm most frequently met with in the low grounds of Illawarra is the fan-palm or cabbage-tree; and in some parts of the district there are grassy meadows, of fifty to a hundred acres in extent, quite destitute of timber, and surrounded with a border of lofty palms of this most beautiful species. Another species of palm, abounding in the district, and equally graceful in its outline, is called by the black natives the *Bangolo*. The cedar of Illawarra I have already mentioned; the nettle-tree, which is also met with in the *brushes*, is not only seen by the traveller, but occasionally felt and remembered, for its name is highly descriptive; and the sassafras with its odoriferous bark abounds in the jungles. The lofty *eucalyptus* and the iron bark-tree, the swamp-oaks and the weeping mimosas of the other parts of the territory, abound also at Illawarra; and the undergrowth of wild vines, parasitical plants, and shrubbery, is rich and endlessly diversified.

From the estate of Bullai, which is now the property of Captain Westmacott, aide-de-camp to His Excellency Sir Richard Bourke, and is beautifully situated at the foot of the Illawarra mountain, the distance to the town of Wollongong is nine miles. The path usually followed by travellers on horseback is along the beach,

as near the water as possible, the wet sand being as hard and firm as a turnpike-road. I found it very awkward, however, to pursue this path with the young spirited horse from the interior which I rode on my last journey but one to Illawarra; for as the sea was breaking heavily on the beach, it left him ever and anon, to his great alarm, up to the ankles in white foam; and I was therefore obliged occasionally to wade through the dry sand beyond the tide-mark, or to strike into the forest.

There are a few respectable settlers in the neighbourhood of the thriving village of Wollongong, which is well situated on the sea-coast on an indifferent harbour, capable, however, of great improvement; but the majority are of a humbler order. It is evident, however, from the natural fertility of the soil, that the district is capable of affording both employment and subsistence to a numerous agricultural population; and as the pasture at Illawarra is generally deemed less favourable for the rearing of sheep and cattle than that of the more elevated lands of the colony, it is evident that the formation of an agricultural population was just the purpose to which the district ought to have been appropriated, and for which indeed its immediate vicinity to water-carriage might have proclaimed its peculiar adaptation to incapacity itself. It is mortifying, however, to observe, at every step in the colony of New South Wales, fresh evidences of an entire want of foresight on the part of the former rulers of the colony, or rather of a most unjustifiable disregard of the best interests of the community: for, instead of reserving the fertile tracts

of Illawarra for the settlement of industrious families of the humbler classes of society, on small farms of thirty to fifty acres each, to cultivate grain, roots, vegetables, fruit, vines, and tobacco, and to rear pigs and poultry for the Sydney market; the land in this district has in great measure been granted or sold off by the former Governors to non-resident proprietors, in tracts varying from two thousand to five thousand acres each. These proprietors will naturally suffer their land to remain in its present wild and uncultivated state as mere *cattle-runs*, till the increase of the population of the colony, and the extension of steam-navigation along the east coast from Moreton Bay to Cape Howe, shall have rendered every acre ten times more valuable than it is at present.

Nature, or rather the God of Nature, evidently intended that the territory of New South Wales should become a pastoral country, and be devoted in great measure to the rearing of sheep and cattle: but there are particular localities on its extensive surface equally well adapted for the pursuits of agriculture; and it was therefore the bounden duty of the colonial government, in time past, to have reserved such localities for the settlement and use of its agricultural population. There are sheep and cattle stations already from four to five hundred miles from Sydney, and the proprietors of the stock at these stations experience little or no inconvenience from the distance; but it would be ruinous for an agriculturist to cultivate grain or potatoes for the Sydney market at one-third of that distance over-land: it was therefore impolitic in the highest degree to

alienate so large a portion of the fertile land in the district of Illawarra, in the inconsiderate manner I have described. Nay, so much superior was the land in that district considered by agriculturists of the humbler classes in the colony, to land of fair quality in certain other parts of the territory, that during the years of drought there were instances of persons of this class actually abandoning the land which they had cleared and cultivated, and of which they possessed the freehold in other districts, to cultivate a few acres on lease in the district of Illawarra: for, independently of the inestimable advantage of water-carriage and the natural fertility of the soil, the vicinity of the ocean ensures a more frequent supply of rain in that district than usually falls to the lot of other parts of the territory; while the range of mountains, by which it is bounded to the westward, shelters it from the blighting winds that proved so fatal to the crops of 1828, on the Hawkesbury and at Hunter's River.

It was Saturday morning before I could leave Illawarra for Sydney; and my fellow-traveller and myself proposing to reach Liverpool, a distance of upwards of fifty miles, in time for the afternoon coach to Sydney, we mounted our horses long before daybreak, and rode towards the beach. It was quite dark, and it rained heavily; and our horses being frightened at the rolling of the white surf on the sea-beach, we were tempted to try the road through the forest; but, unfortunately, lost both our time and our way. The rain fell in torrents as we scrambled up the Illawarra mountain, sometimes on all-fours; and we were consequently completely

drenched ; but on reaching the summit, it became fair ; and we again rode at a brisk pace towards Appin, where we halted for rest and refreshment. The next twenty-four miles to Liverpool, our high-spirited Australian horses, apparently in no way fatigued with their long morning's stage, enabled us to complete in two hours and a half ; but we were not a little disappointed to find, on arriving at Liverpool, that we had been at fault in our calculations, and that the coach had started a short time before. As I had to perform divine service, however, on the following day, we resolved to proceed to Sydney after giving our horses a few hours' rest at the inn, and accordingly resumed our journey late in the evening, when it had again become quite dark. In moving at a slow pace through the gloomy forest, the glorious constellations of the southern firmament gradually gleamed more and more brightly as the hour of midnight approached ; and as the outline of the beautiful Magellan clouds appeared more distinctly marked than usual on the heavens, I could not help thinking, with a feeling of intense awe, of the inconceivable majesty of that mighty Being, who could direct the motions of each invisible star in these vast conglomerations of worlds, and attend to the minutest concerns of each of their myriads of inhabitants, without losing sight for a single instant of an insignificant mortal wandering at midnight through the dark forests of Australia. The clock at the Carters' Barracks—an establishment in which convict-boys were formerly taught mechanical employments—struck one on the Sabbath morning as we passed through the Sydney

turnpike: we had consequently to pay double toll for travelling on Sunday. We were happy, however, to find ourselves at the termination of our journey, after a long and fatiguing ride of upwards of seventy miles.

CHAPTER IV.

GEOLOGICAL FEATURES OF THE COLONY, WITH
REMARKS ON ITS CLIMATE AND DISEASES.

Morborum quoque te causas et signa docebo.

VIRGIL, Georg. III.

PROFESSOR BLUMENBACH, of the university of Göttingen, has somewhere given it as his opinion, that the vast continental island of New Holland was originally a comet, which, happening to fall within the limits of the earth's attraction, lighted at length upon its surface. So tremendous a concussion as this would have infallibly produced, would doubtless have been sufficient to have occasioned *the waters of Noah* ; but then the reflux of these waters, or the rolling back of the vast diluvial wave over the Blue Mountains of Australia, would have drowned the whole outlandish family of kangaroos and ornithorynchi ; for whose benefit, I presume, the bold hypothesis of the learned professor was partly, if not especially, invented.

There are certain points, however, connected with the physical conformation of the southern hemisphere, of which the hypothesis of the Hanoverian professor would

doubtless afford a convenient explanation. It would account for the disappearance of the *Terra Pacifica*, or Great South Land, of which, according to certain theorists, the South Sea Islands are merely the tops of the ancient mountains; the intervening plains and valleys having been submerged *full many a fathom deep* beneath the impetuous surges of the boundless Pacific.* Again, were a ball of soft clay thrown violently on a hard pavement, just as Professor Blumenbach supposes his comet to have been thrown violently on the hard surface of the earth, it would not only be flattened into a sort of cake, but the parts towards the centre would be depressed, while those towards the circumference would be elevated or heaved up. Now it cannot be denied that this is just the form which the Australian continent has actually assumed, in whatever manner that peculiar conformation may be supposed to have originated. The eastern coast has apparently been elevated or heaved up by some violent convulsion of nature: hence the circuitous course of the rivers in that part of the continent, and the liability of the country they water to inundations; while the waters that run to the westward spread themselves over extensive marshes in the low grounds of the western interior, from whence they are again conjured up to the higher regions of the atmosphere by the process of evaporation.

* “ La plupart de ces isles ne sont en effet que des pointes de montagnes : et la mer, qui est au delà, est une vraie mer Méditerranée.” Buffon. The great French naturalist referred in these expressions to the West India Islands and the Carribean Sea; but the same idea has been entertained by other philosophers in regard to the numberless groups of Polynesia.

The eastern coast of New Holland, from Bass's Straits to the nineteenth degree of south latitude, presents a range of mountains running parallel to the coast, and consisting, with scarcely any exceptions, of vast conglomerations of sandstone. There is no granite to be found in masses near the coast for an extent of twelve hundred geographical miles : at the nineteenth parallel of south latitude, however, the country assumes a different appearance ; and a chain of lofty granitic or primitive mountains of various elevation, forms the barrier towards the ocean till the fourteenth parallel of south latitude, or for a distance of three hundred geographical miles. At the latter of these points the sandstone again resumes its reign, and the land gradually dips till it loses itself in the sea to the northward. From the twenty-fifth degree of south latitude, coral reefs extend along the east coast to Torres's Straits, a narrow passage varying from ten to twenty-five miles in breadth intervening between them and the land. This passage, however, is so intricate, that vessels bound to the northward within the reefs have to cast anchor every night. They are steered by the eye, and a man is constantly stationed at the topmast-head to give notice of breakers on the coral reefs to the right or left.*

* The following passage illustrative of the geology of the east coast of New Holland in the neighbourhood of Port Jackson, is extracted from a paper read before the defunct Philosophical Society of New South Wales, by Alexander Berry, Esquire, Member of the Legislative Council of the colony :—

“ The line of coast presents in general an aspect of bold perpendicular cliffs of sandstone, lying in horizontal strata. These cliffs, however, are occasionally interrupted by sandy beaches, behind which the country is

The western coasts of all the large divisions of land in the southern hemisphere are remarkably barren and

low and flat, the high land appearing to retire considerably. On a near inspection these spaces now occupied by sandy beaches seem at no very remote period to have formed the entrance of bays and of arms of the sea. In many places they are even now so partially filled up, that we still find extensive salt-water lagoons separated from the ocean only by a bank of sand, through which the water yet occasionally forces a passage. The strata of sandstone consist of beds lying one upon the other in the most regular manner, so that they have evidently never undergone any deviation from their original relative situation. It is true that the beds are not invariably strictly horizontal, but this arises perhaps from a gentle yielding of the sub-strata. Some of these beds, although perfectly horizontal, and of regular thickness, consist of thin laminæ, which incline at a considerable angle to the north-east. This sandstone may generally be called silicious: it is rarely argillaceous; chiefly in this state over coal: it is then soft and very decomposable. Among the coal measures we occasionally meet thin beds of what may be called calcareous sandstone.

“The country immediately to the south of Hunter’s River is (as is well known) an extensive coal-field. The cliffs on the sea-shore present a most interesting section of the coal-field strata. There, in one day, more information may be obtained than in other places in many years. I traced the strata for nine miles, when they abruptly terminated by suddenly bending downwards, and sinking below the level of the sea. From this place a long sandy beach and low land extend to the entrance of Lake Macquarie (called also Reid’s Mistake). The south head of Lake Macquarie rises into high cliffs, in which the coal strata again present themselves. Dr. Hutton would have given much for a single day’s walk along this shore. Here we see at one glance the progress of some of the most interesting operations of nature—the work of many ages. It appears as if the crust of the earth had been broken, and a bold and regular section forced upwards, and presented to our examination. Between the coal-beds we find strata of sandstone, and beds of slate clay with vegetable impressions;—sometimes (but more rarely) indurated clay-stone. Embedded in these strata there is found abundance of argillaceous iron ore: this is occasionally cellular and in layers, but for the most part it appears in the form of petrifications of trees and branches irregularly dispersed. Near the southern termination of the coal-field (that is, where I have mentioned its sinking beneath the level of the sea,) two large

unpromising in comparison with the eastern. That of New Holland is as sterile and uninviting as it is possible

beds gradually approach, and at length meet. They do not however incorporate, but run parallel; and at this place there is a mass of highly indurated pudding-stone, which reaches from the surface of the coal to the top of the cliff. The coal-cliff abruptly terminates at the entrance of Hunter's River, then forming what is called Coal-head. On the north side of the river a sandy beach and low land extend to the vicinity of Port Stephens.

“ The coal is decidedly of vegetable origin: the fibre of the wood is often quite distinct.

“ The vegetable impressions in the slate-clay under and over the coal are no less worthy of an attentive consideration. I have seen some of these subterranean plants in full flower, so that a skilful botanist might ascertain even their species. I think that I have been able distinctly to recognise the leaf of the *lamia spiralis*.

“ I afterwards found by examining the ravines, that the sandstone strata extended from the sea-coast to the river Nepean on the west. In many of these ravines I found indications of coal, viz. coal-field schistus, with vegetable impressions, argillaceous iron ore, the same calcareous stone formerly indicated, and even fragments of coal. Through that extent of country the sandstone seems to spread like a level platform; and although the country rises in hills and ridges, these seem to consist of a mass of clay, the surface of which has been worn into inequalities by the action of water. Consequently the higher portions, which contain most of the original soil, are more fertile than the bottoms of the valleys, unless these have been covered by alluvial depositions. This clay is generally at the surface red, and impregnated with iron: in some places, however, it is white and saponaceous, appearing under the form of beautiful pipe-clay; and I have seen this white clay contain nodules of calcareous stones resembling stalactites, and evidently formed by aqueous deposition. At the depth of a few feet, it generally assumes the appearance of schistus, impregnated with sulphate of alumina and sulphate of iron.

“ Beyond the Nepean River the sandstone strata are forced upwards, and extend from north to south, forming the range of hills known in the colony by the name of the Blue Mountains. Towards the north, these mountains are sterile and rugged. Towards the south, however, the sandstone is in many places covered or displaced by whin-stone, which

for land to be, with the exception perhaps of the vicinity of Swan River: nothing is visible along the coast but one interminable range of low sand-hills and calcareous rocks: there are no mountains to relieve the eye, and to afford, by the decomposition of their luxuriant vegetation, a rich soil for the valleys: there are no rivers to conduct to the interior: scarcely even a spring of fresh water can be found to recompense the voyager for the trouble of landing: but the west coast of Southern Africa, the west coast of South America, and the west coast of New Zealand, are, with few exceptions, equally barren.

In travelling to the westward on the parallel of Port Jackson, granite is found in masses at the distance of a hundred miles from the coast, and the country consequently assumes a different and much more interesting appearance. I have already noticed the striking resemblance which the elevated plain of Bathurst exhibits in its general outline to that of a large lake or inland sea. There are indications, however, still less equivocal, of its having at some former period been the place of the rolling of waters. There are various knolls or elevations along its eastern margin, consisting chiefly of innumerable pebbles of quartz, rounded apparently by the action of water in rapid currents or waves.

sometimes assumes the form of common, at other times of porphyritic trap. In the latter state it shows itself throughout the verdant, well-watered, and very desirable pastoral district of Argyleshire. In this country, wherever the soil lies upon sandstone, we find it consisting of the common Australian clay: over the whin-stone, again, it invariably consists of light black mould. On advancing farther to the south, both granite and primitive lime-stone are found."

The high land to the south-westward of Sydney consists of ranges of lime-stone hills, perforated in all directions with extensive subterranean caverns, exactly similar, both in character and stalactitic adornment, to those that are uniformly found in regions of a similar formation both in Europe and America. The lime-stone formation occurs also to the north-westward of Sydney, at the head of William's River; and a series of the caves I have just mentioned has been discovered in the lime-stone cliffs that form the banks of the river Macquarie, at the settlement of Wellington Valley, about two hundred miles to the westward of Sydney. In one of these caves, George Ranken, Esq. of Bathurst, discovered a quantity of fossil bones, which he entrusted to my care for the Museum of the University of Edinburgh, on my embarking for England in the year 1830. I happened to be the first person in Sydney to whom Mr. R. showed the bones; and perceiving the great importance of the discovery, as it regarded the general interests of science, I endeavoured to direct the attention of the colony to the subject in an anonymous letter, which was published at the time in one of the colonial papers, and was afterwards republished by Professor Jameson, in the New Edinburgh Philosophical Journal for 1831. The bones were forwarded by Professor Jameson to a Member of the Royal College of Surgeons, in London, who afterwards transmitted the largest and most remarkable in the collection, for farther examination, to the late celebrated M. le Baron Cuvier of Paris, by whom it was ascertained to have been the thigh-bone of a young elephant. Professor Blumenbach's comet has

thus been ascertained to be of equal antiquity, and in all likelihood of kindred origin, with the ancient continents of Europe, Asia, Africa, and America, whose right to their present position on the earth's surface has never been disputed. The huge elephant has in some former age traversed the plains of Australia, for his bones are found occupying the same common receptacle with those of the singular didelphis family, whose lively representatives—the kangaroos and opossums of the present day—have long outlived the last of his race, and still occupy the ancient land of their joint inheritance. If the learned professor, however, would do the scientific world the favour to pay a visit in person to

Penitus toto divisos orbe Britannos,

the British colony inhabiting the stranded comet at the extremity of the globe, I doubt not but he would discover many an important fact, relative to the past history and the actual conformation of that interesting portion of the earth's surface, which the lesser lights of Australian science are insufficient to elicit.

The mineralogy of New South Wales is doubtless rich and various, though as yet in great measure unknown. Coal and iron, the most valuable of minerals, are met with in inexhaustible abundance, the latter being not unfrequently found in the state of native iron in large detached masses on the surface of the ground. Lime-stone is still more abundant, and in some parts of the territory, as in Argyle, it passes into marble, of which beautiful specimens have already been cut and

polished by a skilful artisan from London, now established in Sydney. In one part of its course, Hunter's River flows for a considerable distance over rocks of jasper; and beautiful agates, opal, and chalcedony, besides innumerable petrifications, are found on its banks. On several parts of the coast, as well as in the distant interior, there are evident traces of volcanic action; but Mount Wingen, in the upper part of the district of Hunter's River, is the only burning mountain within the present limits of the colony. There is no crater, however, on Mount Wingen; no unearthly explosions are heard in its neighbourhood; there is no perceptible ejection of lava from the overcharged stomach of the mountain. From innumerable cracks and fissures on its surface, a sulphureous flame, scarcely visible in the day time, but discernible at a considerable distance at night, issues with a steady but by no means powerful blaze; leaving it still problematical, whether the phenomenon should be ascribed to volcanic action, or to the accidental ignition of some subterranean stratum of bitumen or coal.*

* The following is an account of two visits to Mount Wingen, in the years 1830 and 1831, by the Rev. C. P. N. Wilton, A.M., chaplain at Newcastle, Hunter's River:—

“ Mount Wingen is situated on the south-eastern side of the dividing range which separates the lands of Hunter's River from Liverpool Plains, in latitude $31^{\circ} 54'$ S., longitude $150^{\circ} 56'$ E.; and the elevation of the portion of it under the process of combustion cannot be less than one thousand four hundred to one thousand five hundred feet from the level of the sea. At the period of my first visit, in the beginning of last year, this comprehended parts of two declivities of one and the same mountain, composed of compact sandstone rock. The progress of the fire had previously been down the northern and highest elevation, and it

The great extent of coast-line towards the Pacific Ocean, and the various elevation of different parts of

was then ascending with great fury the opposite and southern eminence. From the circumstance of its being thus in a hollow between two ridges of the same mountain, a former visiter was probably induced to give the clefts in the mountain the appellation of a crater; but the fact is, the rock, as the subterraneous fire increases, is rent into several concave chasms of various widths, of which I had an opportunity of particularly examining the widest. The rock, a solid mass of sandstone, was torn asunder about two feet in width, leaving its upper and southerly side exposed to view, the part so torn asunder having slipped down, as it were, and sunk into a hollow, thus forming the concave surface of the heated rock. On looking down this chasm, to the depth of about fifteen feet, the sides of the rock were perceived to be of a white heat, like that of a lime-kiln; while sulphureous and steamy vapours arose from the aperture, amidst sounds, which issued from a depth below, like blasts from the forge of Vulcan himself. I stood on that portion of the rock which had been cleft from the part above, and, on hurling stones down into the chasm, the noise they made in the fall seemed to die away in a vast abyss beneath my feet. The area of the mountain over which the fire was raging was about an acre and a half in extent. There were throughout it several chasms varying in width, from which are constantly emitted sulphureous columns of smoke, accompanied by brilliant flame; the margins of these being beautified with efflorescent crystals of sulphur, varying in colour from the deepest red-orange, occasioned by ferruginous mixture, to the palest straw colour, where alum predominated. A black, tarry, and lustrous substance—a sort of bitumen—abounded on the edges of these cliffs. Specimens of this were with difficulty obtained from the intense heat under foot, and the suffocating quality of the vapours emitted from the chasms. No lava or trachyte of any description was to be met with; nor was there any appearance of coal, although abounding in the vicinity. The mountain has evidently been on fire for a great length of time; several acres of the part now under combustion, on which trees are standing of a great age, having, as it were, been steamed, and many of the stones upon it bearing the marks of vitrification. The fire is still raging, and will probably continue to do so with increasing fury. Materials from beneath from time to time become ignited, whether by electricity or other unknown cause, and the expansive powers of the heat and steam shiver and split into huge

the interior, ensure a considerable variety of climate in different parts of the colony. I have already noticed

masses the solid rock of sandstone, and thus form continued chasms. The sulphureous and aluminous products of the mountain have been successfully applied in the cure of the scab in sheep.

“ The fire, since the period of my former visit, had, I found, been by no means inactive, having extended over a surface exceeding two acres, and was now raging with increased fury up the eminence to the south and south-south-west, and also on the hitherto extinct portion of the mountain—the northern elevation. There were still most splendid crystals of sulphur on the margins of the most extended crevices, where the fire was burning with a white heat, and of ammonia on those of the less ; from both of which suffocating fumes were incessantly evolving. The fire continued roaring beneath, and stones thrown down into the chasms resounded to a great depth in an interior abyss. The scene of disruption, the rocks of solid sandstone cleft asunder, the innumerable fractures made on the surface, the falling in of the strata, the half-consumed, prostrate trunks of trees, and others only awaiting the slip of the rock beneath them to fall in their turn, the pernicious vapours rising around amidst the roaring of the internal fires, and the white and red heat of the burning crevices, present an appearance on which the beholder cannot fail to gaze with wonder, and at the same time to lament his inability to account with any degree of certainty for the first natural cause of the spectacle before him.

“ At a little distance from the burning portions of Wingen, I picked up several amorphous specimens of carnelion, white, pinkish, and blue ; angular fragments of ribbon and fortification agates, and balls of agate, some of them filled with crystals varying from the size of a pea to that of a hen’s egg, and others of a blueish white and clouded colour, having spots of white dispersed throughout them, which, if cut and polished, would present a very beautiful variety of this mineral. Mount Agate also, in the neighbourhood of Wingen, presented me with some fine specimens, as well of agate, (fortification and ribbon occurring in the same specimen,) as of fragments of white and blueish carnelion ; and had not the grass on the mountain been so long and thick as it proved to be, I should doubtless have collected much finer.

“ Several of the agates collected from Mount Wingen upon examination were found to have their surfaces crusted over with iron, some of those from Mount Agate with native copper, while others from the same

the superior salubrity of the climate of Bathurst and Argyle. In both of these districts, snow—which is

locality presented a most beautiful auriferous appearance. On Mount Wingen we found, within but a few yards of that portion of it which is now under combustion, the cast of a bivalvular fossil shell in sandstone, a species of *terebratula*. Other similar specimens have been met with in another part of the mountain. Only two specimens of organic remains of the nature of petrified bone have hitherto been discovered in the neighbourhood of Mount Agate; viz. the sacrum of some large animal on the Holdsworthy Downs, and the second cervical vertebra of another, about ten miles west from Merton: but in neither instance was the petrification embedded in the subjacent strata, but merely lying on the surface of the soil; and therefore most probably contemporary with the petrified wood, which is found scattered very abundantly over this tract of country. Near the chain of the Kingdon Ponds, forming one of the sources of the Hunter, and rising in the dividing range a few miles N. by W. from Mount Wingen, are stumps of trees standing upright in the ground, apparently petrified on the spot where they formerly grew. In some places the wood is strongly impregnated with iron. About three miles along the coast south of Newcastle in an upright position, at high water mark under the cliff, and beneath a bed of coal, was also lately found the butt of a petrified tree, which, on being broken, presented a fine black appearance, as passing into the state of jet; and on the top of the cliff at Newcastle on which the telegraph stands, embedded at about a foot beneath the surface, lying in a horizontal position and nearly at right angles to the strata of the cliff, the trunk of another finely grained and white—both specimens being traversed by thin veins of chalcedony. The coal which is exposed to view on the face of the cliffs is of the independent formation, and appears to run generally in three parallel horizontal beds; but in some places with a varying dip. It alternates in one part of the cliff with slaty clay, sandstone, and shale, with impressions of leaves; at another with mill-stone grit, and a hard chertzy rock. Nodules of clay iron-stone, and trunks and stems of arundinaceous plants in iron-stone, are seen in abundance in the alternating strata of the cliff: and in one place a narrow bed of iron-stone bearing impressions of leaves is remarkable; while thin laminae of the same mineral, the surface of which is traversed by square and variously shaped sections, are seen on several parts of the shore, both in the face of

never seen in the lowlands of the colony—is frequent in winter, though it seldom lies long on the ground; and the cold during the night is often intensely severe.

For eight months during the year, viz. from the first of March to the first of November, the climate of New South Wales—which, throughout the whole year, indeed, is at least equal, if not superior, to that of any other country on the face of the globe—is peculiarly delightful. The sky is seldom clouded; and day after day, for whole weeks together, the sun looks down in unveiled beauty from the northern heavens. In ordinary seasons, refreshing showers are not unfrequent; but although there are no periodical rains in the colony, as in the torrid zone, it sometimes rains as heavily as it does within the tropics. It seldom freezes in Sydney, and never snows;* but fires are requisite during the day in the winter months, and for a considerable time longer in the mornings and evenings.

The Australian summer extends from the first of November to the first of March: during this period the heat is considerable, but very rarely oppressive; the thermometer seldom rising higher in Sydney than 75° of Fahrenheit. There is generally a sea-breeze during the day in the summer months, commencing about ten o'clock in the forenoon, and dying away about four in

the cliff parallel with the beds of coal, and extending into the sea, forming the strand at low water.”—*Abridged from the Australian Almanack.*

* There was a shower of snow in Sydney on the 17th of June, 1836,—the first that had ever fallen in that part of the colony. The younger natives of the colonial capital, who had never seen any thing of the kind before, called it *white rain*.

the afternoon. This breeze, which usually blows pretty fresh, and the immediate vicinity of the ocean, have so powerful an influence on the temperature of the coast, that it is generally ten degrees hotter at Parramatta during the summer months, and ten degrees colder in winter, than it is in Sydney. But although it is occasionally hotter in summer than the average temperature I have just mentioned, the mornings and evenings are uniformly delightfully cool.

The most singular phenomenon in the meteorology of New South Wales is the occasional prevalence of hot winds from the north-westward. These winds occur on an average about four times every summer, and blow from twenty-four to thirty-six hours each time, the atmosphere all the while feeling like a current of heated air from a furnace, and the thermometer generally standing at from 90° to 100° of Fahrenheit. It has even stood as high on one occasion within my own experience as $112\frac{1}{2}^{\circ}$. The day I allude to was a Sunday, in the month of February, 1824. I had to perform divine service twice during the hottest part of the day; but I confess I experienced very little inconvenience from the heat—less indeed than I have felt in a crowded church in Scotland. This is to be ascribed entirely to the extreme dryness of the atmosphere in New South Wales; for in a dry atmosphere one is able to bear a much greater degree, either of heat or of cold, than when the atmosphere is charged with moisture. In the humid atmosphere of England, such a degree of heat as I have just mentioned would be extremely oppressive, if not quite intolerable.

The phenomenon of the hot winds of New South Wales is utterly inexplicable in the present state of our knowledge of the interior of the continent of Australia, and to hazard hypotheses on the subject is just the way to prevent our speedy attainment of the knowledge desired. Some suppose they are occasioned by extensive conflagrations in the north-western interior; others ascribe them to the supposed existence of an extensive tract of desert country in that direction. It is evident, however, that two or three expeditions for discovery in the interior, which could be fitted out by the colonial government at a comparatively small cost, and which would doubtless lead to important results in other respects, would in all likelihood set the question completely at rest, either by affording the real explanation of so singular a phenomenon, or by ascertaining that it is altogether inexplicable. At the same time, it is worthy of remark, that the hot winds are scarcely, if at all, experienced at Port Macquarie, a settlement on the coast considerably to the northward of Sydney.

When the hot wind has spent its strength, it is usually succeeded instantaneously by a violent gust from the southward, which immediately envelopes the town of Sydney in a whirlwind of dust, and sometimes proves fatal to inexperienced boating-parties in the harbour. I have observed the hot wind terminate instantaneously in a hail-storm of a few minutes' duration from the south-westward, which, of course, caused the mercury in the thermometer to descend with surprising velocity; the difference of elevation, after a short interval,

being on one occasion, when the wind had been unusually hot, not less than 40° .*

The salubrity of the climate of New South Wales is indicated by the general health of the colonists; the diseases which actually occur being, in at least three cases out of every four, the result of excess and dissipation, rather than of those *natural ills that flesh is heir to* in every country under the sun. Excess in the use of animal and other stimulating food is a frequent source of disease in the colony; it is the *semita lethi*—the by-path pursued unwittingly by many an individual, who slowly and unconsciously undermines his own constitution, and at length lays himself completely open to the fatal attacks of acute disease, under which he disappears as suddenly from the face of society as a falling star in the twilight. But excess in the use of ardent spirits is the grand source of disease in New South Wales; it is the broad *Appian Way*, pursued by thousands, to the grave.

The three forms of disease that are most frequent in the colony are *ophthalmia*, *dysentery*, and *influenza* or *catarrh*. By *ophthalmia*, however, I do not mean the Egyptian *ophthalmia*, but affections of the eyes in general: these arise from hot winds, from the reflection of the glare of sun-light from whitish surfaces, from working in the sun without a covering for the

* In the month of February, 1835, the mercury in Fahrenheit's thermometer descended twenty-five degrees in twenty minutes: this remarkable descent occurred about six o'clock in the evening, and was noticed in the Observatory at Parramatta. There had been a hot wind during the day, the mercury having previously stood for some time at 107° of Fahrenheit.

head ; but in most cases from the use of ardent spirits. From the last mentioned of these causes, entire blindness sometimes, though rarely, ensues, among the convict-population. Dysentery is also confined chiefly, though by no means exclusively, to the lower classes of the colonial population ; and mercury, in doses that a medical practitioner in Great Britain would be afraid to administer, is the grand specific whenever it occurs. It is occasioned sometimes by drinking water containing a solution of alum ; at others, by drinking cold water in hot weather, when the body is in a state of perspiration ; it arises occasionally from the use of salt provisions, or from injudicious exposure to the sun in summer ; but I have reason to believe that the most frequent source of this disease is dissipation. Catarrh or influenza is sometimes almost epidemic in the colony : it seldom proves fatal to persons in the prime of life, but old people and children are apt to sink under it. There have been three attacks of this epidemic experienced in New South Wales during the last ten years, the first having occurred in the year 1827 ; and it has been remarked that it is usually preceded by a long continuance of westerly winds. Whether these winds may bring along with them any miasmata from the marshes of the distant interior, or whether the arid state of the atmosphere, which generally attends them, may induce inflammation of the glands of the throat, and the other kindred accompaniments of violent colds in England, I shall not presume to determine. I am inclined to believe, however, that the exhalations of marshes in New South Wales are in most cases in-

noxious, and are incapable of being conveyed to a distance. There are localities in the territory which are found perfectly salubrious, but which, I am sure, would, in North America, or indeed in most other climates, be infamous for their fevers and agues. I have heard, indeed, of one or two instances of fever and ague in the colony among the convict-labourers, on a farm almost completely surrounded with lagoons in the lower part of Hunter's River: such rare exceptions, however, tend rather to confirm the general rule. Cases of consumption have occasionally occurred and terminated fatally among the native youth of the colony, but they are by no means frequent; and Europeans who have brought the genuine *phthisis pulmonalis* along with them to the country, sink at last under the fatal influence of its deadly virus, although, humanly speaking, they may be said to add three or four years to their lives by going to New South Wales. I have known of a few cases of gout in the colony, but they have uniformly exhibited the same filial relation to brandy and port wine, which distinguishes that disease in the mother country; but cases of inflammation, arising doubtless in great measure from the use of stimulants, either directly or indirectly, are by no means rare. I have also had frequent occasion to observe that diseases in New South Wales are more frequently attended with a speedy and entire prostration of the intellectual powers than in England; and the diseases that do attack the human frame in the colony are generally more acute, and arrive more speedily at their crisis.

The horrible disease called *delirium tremens*, or the

trembling madness, is of frequent occurrence, and sometimes terminates fatally : it is uniformly the effect of excessive dissipation, aggravated probably by the heat of the climate in summer, and by the deleterious substances—such I believe as sulphuric or muriatic acid—with which the publicans of the colony are known to adulterate their ardent spirits. The patient under this disease is distracted with imaginary terrors ; he fancies himself haunted by apparitions ; the whole frame quakes convulsively under the influence of a diseased imagination ; and the nervous system is so unnaturally excited, that the bodily functions are intermitted or deranged, and death frequently ensues. The exorcising of devils is a branch of clerical duty, which in Protestant countries has generally fallen into disuse, and is supposed to be practised only by the Roman Catholic priesthood in the wilder parts of Ireland or Spain. I have twice, however, been applied to for that purpose, by patients labouring under this frightful disease in the colony. One of the cases was that of an unfortunate countryman of my own, a free emigrant from the Highlands of Scotland. In what form the devil used to appear to him, I do not exactly recollect ; but it seems he had been incessantly at his window for a whole fortnight before he informed me of his calamitous situation. It was about the middle of January at the time ; and as I was previously unacquainted with the man's character and history, and therefore deemed it expedient to proceed with caution, I observed that Christmas, which had occurred very recently, was a season at which many people in the colony were apt to exceed the bounds of moderation ; that

it was possible he might have erred himself after so evil an example ; and that if he had, I was not surprised at the visitation he had experienced ; for the devil seemed to have great power in all cases of that kind in New South Wales—much more indeed than appeared to be allowed him in the Highlands of Scotland. The Celt acknowledged in reply that he had not suffered either Christmas or New Year's day to pass without due commemoration ; and even admitted—with the scrupulous caution, however, peculiar to the Celtic portion of my countrymen, in all cases in which their own characters or interests are concerned—that *he might have taken more* on both occasions than was likely to do him good ; but he could not see why that should entitle the devil to mark him out as the special object of his annoyance, by presenting himself incessantly at his window, and *tempting him with more brandy and other such temptations*. He promised, however, to follow my advice for the future, and to try what effect sobriety would have in keeping the Tempter at a more respectful distance.

There was something peculiar in the Highlander's history ; and I was sorry to find that he had been unfairly dealt with by certain parties in the colony, from whom he had been entitled to expect very different treatment. I accordingly wrote a memorial on his behalf to General Darling, through which he was fortunate enough to obtain a grant of five hundred acres of land. Finding, besides, that he was a man of no decision of character, and that he was consequently liable to be led astray in Sydney, I found ways and means of getting him packed off to his land, which was situated

at a considerable distance in the interior, and on which he promised to settle : but on returning to the colony after my second voyage to England, in the year 1831, I was sorry to find that he had sold one half of the land to a publican in Sydney, and that he was both frequent and protracted in his visits to the publican's on the strength of the remaining moiety. On one of these occasions, he had been drinking in the *Tap* over-night, and had fallen asleep with his head leaning on his hands at the table, in which condition he was left by the publican's family on going to bed. On opening their house at an early hour on the following morning, he was still apparently asleep at the table ; but, on trying to awake him, they found he was dead !

Either the Royal College of Physicians, or one of the other medical boards of London, transmitted a series of questions a few years ago to certain medical gentlemen in the colony, to ascertain the average duration of human life in New South Wales : it is scarcely possible, however, to arrive at accurate conclusions on such a subject for many years to come. There cannot be any native of the colony (the phrase uniformly designates a native of European descent) at this moment more than forty-nine years of age ; and in regard to those who have arrived as adults, whether free emigrants or convicts, there have hitherto been so many disturbing circumstances, arising chiefly from the character of the population, to counteract the natural salubrity of the climate, that the present colonial bills of mortality would undoubtedly lead the man of figures and calculations to most fallacious conclusions. For

my own part, I am inclined to believe that the probabilities of life, for any number of children born in the colony, are higher than for a similar number born in England, but that fewer of that number are likely to reach extreme old age in the colony than in Great Britain. In short, the lamp of life in the salubrious climate of New South Wales is like a taper immersed in a vessel filled with oxygen gas; it burns more brightly than in common air, but is sooner extinguished.

Persons of temperate habits, who have passed the meridian of life before their arrival, are doubtless likely to live longer in the colony than they would have done in England. Individual cases are certainly no rule to judge by; but I may be permitted to mention the singular case of an old man of the name of Wright, who had been many years in the colony, and who died sometime ago in the Benevolent Asylum in Sydney, at a hundred and five years of age. The only coherent words he uttered, for two or three years before his death, were such as he had doubtless been accustomed to use when a whole century younger, for he was frequently heard calling for—his mother!

CHAPTER V.

STATEMENT OF THE ADVANTAGES WHICH NEW
SOUTH WALES HOLDS FORTH TO VARIOUS
CLASSES OF EMIGRANTS.

“Be not slothful to go, and to enter to possess the land. When ye go, ye shall come unto—a large land—a place where there is no want of any thing that is in the earth.”—JUDGES xviii. 9, 10.

THERE are classes of persons in the mother country, whom it would doubtless be preposterous in the highest degree to advise to emigrate to New South Wales, or indeed to any of the colonies. In an old country—a country in a high state of civilization and advancement—there are numerous arts and branches of business for which there cannot possibly be any demand in a young colony, or in a state of society altogether different; and it is in no small degree from inattention to this important circumstance, on the part of numerous emigrants in all the colonies of the empire, that the entire failure of many of these emigrants, and their loud complaints against the colonies generally, have originated. Previous to his leaving his native land, the intending emigrant should

by all means ascertain, whether his habits and pursuits are adapted to that new state of society which he will find prevailing in the distant land of his adoption: for although that land may be desirable enough as a place of settlement for thousands and tens of thousands in the mother country, it may be any thing but desirable for him. I recollect, for example, the case of two muslin-weavers, who had been tolerably comfortable in their native country, arriving with large families in New South Wales, and exclaiming loudly against the colony, and threatening to write home against the government agents and committees who had induced them to emigrate—simply because there was no employment for them in that capacity. It would be a strange and most unnatural thing, indeed, if there were employment for muslin-weavers in a young colony.

For labourers of all classes, however, for shepherds, and for mechanics of all those handicrafts that are in requisition in the building of houses and ships, or in the sustentation and maintenance of agriculture and commerce, the colonies generally, and especially the Australian settlements, present a boundless field for employment, and a most favorable prospect of adequate remuneration. And as the government are now appropriating the rapidly increasing revenue arising from the sale of waste land in these settlements, towards the encouragement and promotion of the emigration of families and individuals of all the classes I have enumerated, the grand obstacle in the way of the emigration of such persons to so distant a region, arising from poverty, griping poverty, at home, is now happily removed:

for although the system which has thus been most judiciously adopted is as yet only coming into operation, and has hitherto been most inefficiently and badly managed; there is no doubt whatever but that it will ere long be conducted on so improved and so extensive a scale, as to afford every British labourer or mechanic, of reputable character and industrious habits, who chooses to avail himself of the important privilege, a free passage for himself and his family to the Australian colonies.

For respectable families of moderate capital, or of fixed income, arising either from money or from land, the prospect from emigration to New South Wales is favourable and encouraging in the highest degree.

There are many respectable families in the mother country possessing property to the amount of £2000 to £5000, but having no means of providing for the settlement of their children, and having nothing else to depend on for the future than the small income now derivable in Great Britain from property of that amount. To such families, New South Wales presents a most eligible prospect for effecting a comfortable settlement. With a comparatively small portion of their capital, they could purchase a farm of moderate extent partially improved, in one of the settled districts of the colony, where, in all likelihood, they would find respectable and agreeable society in their immediate neighbourhood, and be surrounded with the comforts and appliances of civilization. A farm, or small estate, of the kind I have just mentioned, would furnish a respectable family with all the necessaries and with many of

the comforts of life. If they chose to embark largely in sheep-farming or in grazing speculations, they could either purchase or rent a tract of land from the Government in the distant interior, where their sheep and cattle could range in safety under the charge of a hired overseer, at the distance of two, or even three hundred miles: but if they chose rather to lend out the remainder of their capital at interest, they could obtain at least ten per cent with the utmost facility, on security as good as any in England.

In the year 1826, Mr. Henry Dangar, late Surveyor for the Australian Agricultural Company, published a large map of Hunter's River, accompanied with a list and description of the agricultural settlements in the district, and directions to intending emigrants. Supposing a family to arrive in the colony with a capital of £1000, Mr. Dangar advises that that capital should be expended in the following manner: viz.

In the purchase of

200 improved ewes in lamb, which would

now cost £1 10s. each	. . .	£300 0 0
20 good cows at £5 each	. . .	100 0 0
1 bull	. . .	8 0 0
1 team of four oxen, with harness	. . .	40 0 0
1 brood-mare	. . .	40 0 0
1 riding-horse	. . .	30 0 0
A cart and other implements	. . .	50 0 0
Clearing ten acres of land, and cropping it with wheat and potatoes	. . .	50 0 0

£618 0 0

The reader will recollect, however, that whereas the colonial government was empowered to grant land to respectable settlers at a moderate quit-rent in the year 1826, Crown land is now obtainable only by purchase at a public auction, and at not less than five shillings per acre; the land so purchased, however, being free of quit-rent. Supposing, therefore, that a family were now arriving in the colony with a capital of £1000, they could afford to purchase a sufficient extent of land from the government, and still be in equally favourable circumstances with the family emigrating in 1826; for, according to Mr. Dangar's estimate, the quantity of stock and agricultural implements, &c. enumerated in the preceding list, would at that period have cost £815. In other respects the circumstances and prospects of a respectable family settling in any part of the colony now, are incomparably superior to what they were in 1826; while the price of wool—the chief article of produce and the chief article of export in New South Wales—has rather risen than fallen during the last ten years.

The following estimate of the profits derivable from the investment of capital in sheep-farming in New South Wales, is founded chiefly on calculations appended to Captain Sturt's account of his 'Two Expeditions into the interior of Southern Australia.' I have retained Captain Sturt's numbers as far as relates to the progressive state of the flocks and their rate of increase, but made such alterations in regard to prices as are justified by the present state of the colony.

No. 1.—ESTIMATE OF INCREASE.

	Ewes
Suppose two flocks of ewes of improved breed purchased in the colony, comprising	670
Increase of lambs at the usual rate of increase, exclusive of deaths	595
Total number at the end of the first year	1265
Increase of lambs, exclusive of deaths, during the second year	610
Rams purchased	18
Total number at the end of the second year	1893
Increase of lambs during the third year	875
Rams purchased	12
Total number at the end of the third year	2780
Increase of lambs during the fourth year	1143
Rams purchased	18
Total number at the end of the fourth year	3941
Increase of lambs during the fifth year, exclusive of deaths and lambs slaughtered	1513
Rams purchased	10
Total number of all ages at the end of the fifth year	5464

No. 2.—ESTIMATE OF EXPENDITURE.

	£.	s.	d.
Original cost of 670 ewes at £1. 10s. a head	1005	0	0
Expense of management during the first year	80	0	0
Total expenditure during the first year	1085	0	0
Expense of management during the second year	115	0	0
Cost of rams purchased	135	0	0
Total expenditure during the second year	250	0	0

	£.	s.	d.
Expense of management during the third year	180	0	0
Cost of rams purchased	90	0	0
Total expenditure during the third year	270	0	0
Expense of management during the fourth year	240	0	0
Cost of rams purchased	135	0	0
Total expenditure during the fourth year	375	0	0
Expense of management during the fifth year	290	0	0
Cost of rams purchased	75	0	0
Total expenditure during the fifth year	365	0	0

No. 3.—ESTIMATE OF INCOME.

1st year. 1265 fleeces of 2½lbs. each, sold at 1s. 6d. per lb.*	213	9	0
Deduct cost of management, &c.	80	0	0
Income at the end of the first year	133	9	0
2nd year. 1893 fleeces, do. do.	319	8	6
Deduct cost of management and amount of purchases	250	0	0
Income at the end of the second year	69	8	6
3rd year. 2780 fleeces, do. do.	469	2	6
Deduct cost of management and purchases	270	0	0
Income at the end of the third year	199	2	6
4th year. 3941 fleeces, do. do.	665	0	0
Deduct cost of management and purchases	375	0	0
Income at the end of the fourth year	290	0	0

* During the last three years a very large portion of the wool of the colony has been sold at two shillings a pound.

	£.	s.	d.
5th year. 5464 fleeces, do. do.	922	0	0
Deduct cost of management and purchases	365	0	0
Income at the end of the fifth year	557	0	0

No. 4.—ESTIMATE OF VALUE OF FLOCK AT THE END OF THE FIFTH YEAR.

1614 Ewes from one to four years old at £1. 10s. each	2421	0	0
622 do. from four to seven years old at £1 each	622	0	0
780 Female lambs at £1 each	780	0	0
2405 Wethers and Male Lambs at 15s. each	1803	15	0
45 Rams at £5 each	225	0	0
Total value	5851	15	0

In short, New South Wales affords at this moment the fairest prospect for prudent and industrious families of moderate capital, whom the present circumstances of the mother country may induce to emigrate. And let it be remembered, by all who may have it in their power to encourage and to promote the emigration of such families to the colonies, that every such family that settles in New South Wales contributes eventually to the prosperity of Great Britain, through the more extensive market which it opens for British manufactures, and the direct support it affords to British commerce, not less certainly, and in all likelihood to a much greater extent, than if it had never left the British shore.

Suppose the case of a respectable family living in England on £200 or £250 a year, the interest of their whole capital of £5000: they will doubtless consider themselves fortunate in having been able to invest that

capital on good security at four or five per cent interest: but they would much rather have invested it in a good business of any kind; for the head of the family is perhaps a man of some energy of mind, who is still in the prime of life, and has a numerous offspring to provide for. Deterred, however, from engaging in any kind of business by the fear of losing their whole property in the present competition for the profitable investment of capital, they retire to the West of England, or to some other part of the country, where they can rear and educate their children as economically as possible. In such a situation, it is evident that the *custom* even of a very respectable family is no great matter either to the Birmingham or the Leeds manufacturer; for they necessarily contrive to do with as little as they can, and to make every thing last as long as possible: for the same reason, the ship-owner is very little in their debt for all he gets by *carrying* home from beyond seas all the tea and sugar, or other foreign commodities they make use of. In short, the capital of the family is comparatively dead to the nation, and so are the energies of the capitalist; for, instead of occupying the important and influential place in society, which his own abilities and education, combined with his pecuniary means, would *in other and more favourable circumstances* have enabled him to hold, his time is drivelled away either in shooting on my Lord Somebody's grounds, or in poring over the newspapers at the nearest reading-room, or in speculating on the propriety of making his son John a lawyer, and his son James a medical man, and his son Thomas a clergyman. When the boys are

educated,—which, in the present circumstances of the mother country, is not easily accomplished out of an income of two hundred a year,—the capitalist, the Englishman, forsooth, the man who, if he felt his own weight, or knew his own place in the world, would scorn the employment,—spends his pocket-money in coach-hire, and his time in the antechambers of the great, actually *begging* for situations for his sons! Let the reader *look attentively at this picture*, and then *say if it is not like*, as a representation of the actual condition of a thousand respectable families in England!

Let him now look at the very same family emigrating to such a colony as New South Wales. Fifteen hundred pounds will in all likelihood be sufficient to land the whole family in the colony, and purchase a partially improved farm or estate with a good house on it, in a settled part of the country, and within a moderate distance of Sydney; on which, without any farther outlay of capital, they may obtain all the necessaries and many even of the luxuries of life, and which will afford, moreover, suitable and sufficient employment for the most active mind! Two thousand pounds of their capital invested, at 10 per cent interest, will afford them a yearly return equal to their whole income in England, while the remainder, if invested judiciously in cattle or in sheep-farming, will in all likelihood yield them from 20 to 50 per cent interest. The circumstances of the emigrants will, therefore, be materially changed for the better, and they will accordingly live in a style somewhat conformable to their larger income. But others will be benefited by this change, as well as the emi-

grants themselves ; for they will no longer be content with the limited supply of Birmingham and Leeds manufactures that they found sufficient in the West of England, and they will consequently be much better customers than they were before to the Birmingham and the Leeds manufacturers ; whose workmen will of course be better employed, better clothed, better lodged, and better fed, than they were previously to their emigration. They could scarce afford to keep a riding-horse in England ; they can now keep a carriage, and of course give employment to the various classes of persons that are engaged in the manufacture of saddlery and of coach-furniture in the mother country. They now buy tea by the chest, and sugar by the ton, for their large farm-establishment ; and the classes of merchants, shipowners, and mariners are on that account, as well as in consequence of their greatly increased consumption of British goods, benefited by their emigration to a much greater amount than they would have been by their remaining at home. Nor is that benefit merely indirect ; for a family of moderate capital, commencing sheep-farming in the colony, will not have been long resident in New South Wales, before they will be in the way of receiving visits of business from the shipmasters that frequent the port of Sydney, offering to carry home their wool or other colonial produce to London.

As a member of society, the capitalist of two hundred pounds per annum, living in retirement in England, is of comparatively little weight in the scale. In New South Wales he becomes an important, and, if he

chooses, a highly influential personage. He is able, in some measure, to give the tone to society in his own neighbourhood. To those who are returning, though irresolutely, from the paths of vice, his encouragement gives firmness and resolution, while his virtuous example drives immorality into the shade. If he has the inclination, he has ample means of pursuing plans of benevolence and philanthropy : if he has the spirit, he can even erect an altar in his own vicinity, and cause many to follow him to the sanctuary of God. His advice is asked and taken in matters of government and legislation, and his name is perhaps honourably enrolled in the annals of an empire.

As a father, the means of education for his children are within his reach in the colony, and the walks of mercantile and professional exertion are still open to his sons : but he is relieved from all anxiety as to their obtaining a comfortable subsistence in the world ; and if his son Thomas should actually turn out to be unfit for any thing but “ reading out of a book,” (to use the sarcastic language of the late Jeremy Bentham, when estimating the qualifications usually required for the clerical office in England,) he is under no temptation to incur the guilt of thrusting an unfit person into the holy office of the ministry, for he can give him a few hundred head of cattle and a few flocks of sheep, and the lad will have an independence for life.

Now can any person deny, that the man of moderate capital, who thus lives in the colonies, does not live much more usefully to the British nation, as well as to himself, to his family, and to society, than the man

who merely vegetates in England on two hundred a year?

Were a family of moderate capital emigrating to New South Wales, to purchase a partially improved farm either at Hunter's River, at Bathurst, or at Argyle, they would scarce experience any of the inconveniences to which emigrants of all classes are uniformly exposed on settling in the wilderness. Besides finding in their immediate neighbourhood respectable and well-educated society, they would be much nearer a market for their produce, and would find the expense of carriage to and from the colonial capital comparatively inconsiderable. If they had children requiring instruction, they would find it much less difficult to get them well-educated than in the distant interior; while they would be much nearer the House of God, and the humanizing influences of the ordinances of religion.

Steam-navigation will in all likelihood be extended very shortly from the settlement of Port Macquarie to the northward, along the whole line of coast to the southward, as far as Port Phillip in Bass's Straits: * there will thus be a vast extent of eligible water-communication available for reputable and industrious families of still more moderate means, proposing to devote their attention principally to the pursuits of agriculture. The value of that species of communication, even in a moral point of view, is by no means in-

* There is already a steam-boat plying regularly between Sydney and Port Macquarie, and another has been sent out lately from Scotland to ply between Sydney and Hobart Town—touching, doubtless, at Twofold Bay, which will thus form a very convenient half-way station.

considerable in a colony like New South Wales: for if there were an agricultural settlement formed at Twofold Bay, near Bass's Straits, as I have no doubt there will be very shortly, the grain and other produce of that settlement would be conveyed to Sydney—a distance of nearly three hundred miles—at a comparatively small expense, and without putting it into the power of a single convict-servant to get himself intoxicated by the way.

It is quite unnecessary for a family of free emigrants to carry out any thing from the mother country in the shape of furniture or agricultural implements: such articles can be procured at as cheap a rate in the colony as in England; and to carry out any thing in the shape of merchandise would be folly in the extreme. Even clothing of all descriptions can now be purchased at a moderate price in New South Wales. Neither is it necessary for intending emigrants to purchase books of agriculture, to teach them the processes of farming, if previously unacquainted with them; for such books would in all likelihood do them more harm than good, as they would most probably be unsuitable to the climate, and would only fill their heads with crotchets, which might perhaps prove very expensive in the end. The best way in which an intending emigrant of small capital can employ the intervening time, between the adoption of his resolution and his actual embarkation, and the best preparation which he can make for settling in New South Wales, is to learn to handle the axe, the saw, the chisel, and the plane, by taking lessons for a few months from a country carpenter: for although

he may not find it absolutely necessary to employ himself in that way in the colony, he will find such accomplishments of the greatest utility, even in the way of enabling him to give directions to his workmen or convict-servants. A man who can assist in erecting a house for his family on his own farm, or can make a gate, a door, a table, or a stool, on an occasion of emergency, with his own hands, is much more likely to prosper in New South Wales, than a mere *theoretical* farmer.

I am sorry the colony does not at present hold out any adequate prospect to induce respectable young men to emigrate from the mother country, in the hope of obtaining situations either under government or in mercantile houses, as clerks or warehousemen. Candidates for situations of this kind are numerous already; the class of emigrants I have just mentioned being unfortunately the most numerous, while vacancies seldom occur and are immediately filled up. I have heard of two young gentlemen of this class — both of good education and of respectable families, and who had both been furnished with letters of introduction to mercantile houses in the colony — who arrived in New South Wales within the last few years; but who, finding no prospect of employment in the way they had anticipated, entered *before the mast*, or as common sailors, in one of the colonial sperm-whalers. I admire their noble spirit of independence: indeed, the want of such a spirit has been the ruin of many a young man of fair promise in the colony, who, if he had only *stooped to rise*, in some such honest way as the one adopted by the young gentlemen I refer to, might have risen at

length to comparative independence. The sentiment of the Roman poet—

Tentanda via est qua me quoque possim
Tollere humo ; *

is a virtuous, a praiseworthy, and an honourable sentiment ; and in so far as it leads a man to endeavour to obtain an honest livelihood by his own exertions, even in the humblest sphere of life, it is abundantly sanctioned by Christian precept and apostolic example. Indeed, I do not know a more splendid subject for a painter than that of the apostle Paul—the man whose moral heroism was sufficiently exalted to plant the standard of the cross on the battlements of Ephesus, the strongest hold of Asiatic idolatry, and to make a worthless Roman Governor tremble on his judgment-seat—working by lamp-light with his sail-needle to earn himself a livelihood as a journeyman tent-maker.

At the same time, it is much to be regretted that no effort has hitherto been made in the colony to devise ways and means of affording employment to young men of this description, though in a somewhat different sphere from the one best suited to their abilities. A few thorough-going men of real benevolence in the influential classes of the colony might have done much in this way with very slender means. A tract of land, for instance, might have been procured from the Government, on which suitable farm-buildings could have been erected at a very moderate expense, while a herd of cattle and a flock of sheep could have been collected in the way of donations from the respectable settlers of the

* “ I must try some way of raising myself from the ground.”

colony. An establishment of this kind might have answered the double purpose of a temporary asylum for respectable young men who had failed in their honest endeavours to find employment of a different kind ; and of an agricultural school, in which such young men might have attained a knowledge of the various processes of Australian farming, and from which they might in due time have gone forth with certain previously-understood facilities, to establish themselves as farmers on their own account in the colonial wilderness. But, unfortunately, we have either had no such men among the influential classes of our colonial community, or the energies of well-disposed individuals have been completely paralysed, under the influence of a most impolitic and illiberal system, which has hitherto prevailed in the colony, and confined the privilege and the means of doing extensive good to the community, to men who have studied only their own personal aggrandizement. It is so much the interest of the colony, however, to prevent respectable young men, who may be unsuccessful in their endeavours to obtain employment in a mercantile capacity on their arrival in the colony, from sinking into despondency, dissipation, and ruin, and to transform them into landholders and cultivators of the soil throughout the territory, that I still entertain a hope that some sort of machinery may shortly be devised and put in motion for the accomplishment of so desirable an object. When the spirits are buoyant and the mind pliant, as is generally the case in early life, it is by no means difficult to transform the individual, who has been trained only to write at a desk or to measure out haberdashery, into a man of ploughs and farm-

produce, of sheep and cattle; and in a country where a young man of good character and industrious habits merely requires a fair starting in the latter capacity to ensure him a speedy, comfortable, and yearly-increasing independence, it is surely an object of the first importance to the community, that a process for effecting so important a transformation should be put into early and efficient operation.

In the year 1832, upwards of two thousand free emigrants arrived in the colony: of these, the greater number consisted of persons of the humbler classes of society, including a number of pensioners with their wives and families. The colonial government had received no orders relative to the pensioners, and had no authority to grant them any indulgence: its efforts on behalf of a few of their number were therefore feeble, desultory, and inefficient; the great majority of the pensioners, and many of the other free emigrants of the humbler classes, being left to find their way in the colony as they best could, with nobody to ask advice of, and nobody to direct them; and liable to be beset by worthless individuals, or driven through despondency to absolute desperation.

It was natural for most of the Scotch and North of Ireland Presbyterian emigrants, who found themselves in such circumstances, to apply for advice and information to the resident minister of their own communion, especially as I was known to have had something to do with emigration. In fact, I was for some time literally beset with applications for information and advice, in-somuch that I recollect of there being on one occasion

no fewer than three different parties of emigrants newly-arrived, all waiting in different apartments of my house at the same time. Knowing that there were many places in the interior of the colony, where families and individuals of the humbler classes of society could easily obtain an eligible settlement, were their circumstances and abilities known, but possessing only limited information on such a subject myself, it appeared to me that if a society were instituted to collect information of the kind required in such cases, and to form a sort of connecting link between the emigrants and the respectable settlers in the interior, many families might be advantageously settled, or at least rescued from a state of miserable suspense. I accordingly drew up a series of papers on the subject, which were published anonymously in one of the colonial journals; and the idea was so well received, that on a public meeting being held shortly after to form a society for the object proposed, the attendance was both numerous and respectable.

The Emigrants' Friend Society, as far as its operations and success depended on the general and continued support of the colonial public, was like most other colonial abortions—a vapour, which appeared for a little season, and then vanished away: but it fortunately did not require that support in the degree in which it is necessary to the existence and prosperity of other societies. A publicly accredited agent of active benevolence was what it chiefly required; and a Scotch gentleman of this character—W. Macpherson, Esq., Collector of Internal Revenue—was appointed for that purpose Ho-

norary Secretary, in which capacity he had almost the exclusive management of its affairs devolved upon him. Within a few months after its formation, Mr. Macpherson had procured situations in the interior for upwards of seventy families and individuals.

Retired or half-pay officers of the army or navy are a class of men who have generally fewer ties to bind them to any particular spot in the mother country than most other persons of the same rank in life ; while their limited means, and the daily increasing difficulty of providing for a large family in England, naturally predispose them to emigration. Besides, there is a positive inducement very properly held forth by His Majesty's Government to gentlemen of this class proposing to settle with their families in the colonies, in the shape of a remission of the purchase-money of whatever Crown-land they may purchase on their arrival, to an amount proportioned to their rank and length of service ; a field-officer being entitled to a remission of £200 to £300 ; a captain, to a remission of £150 to £200 ; and a subaltern, to a remission of £100 to £150 ; or, in other words, the field-officer settling in the colonies will receive from eight to twelve hundred acres of land, purchased at the minimum price, for nothing ; the captain, from six to eight hundred ; and the subaltern, from four to six hundred. Gentlemen of this class will be able to estimate the advantages which New South Wales presents for the settlement of a family from the preceding pages, and it is therefore unnecessary to say any thing farther on the subject. I shall only mention one circumstance, which will doubtless suggest itself to the reader, from

the whole tenor of the preceding sketches, as an argument in favour of emigration to retired officers in general, and to many respectable families of limited income in the mother country ; viz. that what would barely be sufficient to enable a respectable family to live in England, would with common prudence enable them to live in comparative affluence in New South Wales.

For respectable families of moderate capital proposing to emigrate, New South Wales is in many respects greatly preferable to Upper Canada. The Australian climate is incomparably superior to that of any of the British provinces of North America. The productions of New South Wales are far more various and far more valuable ; for, to instance only one of them, what are a few thousand logs of inferior timber, and a few thousand barrels of potash, to the fleeces of the sheep on a thousand hills in Australia? The society which a respectable family is likely to meet with in the neighbourhood of their place of settlement in the interior of New South Wales is of a more congenial character than what is usually to be met with in the back-settlements of Upper Canada ; while the transportation-system, which constitutes the grand objection to New South Wales as a place to reside in, in the estimation of most people at home, ensures a constant supply of cheap and valuable labour. In short, New South Wales is, beyond all comparison, the preferable country for a gentleman-farmer.

It is now no longer necessary to institute comparisons between the colonies of New South Wales and Van Dieman's Land, to induce intending emigrants to direct

their course to the one of these colonies rather than to the other. The fact that, during the last two years, there has been a very considerable emigration from Van Dieman's Land to New South Wales, insomuch that more than two hundred persons have actually crossed over from that island to the continent of New Holland, carrying along with them upwards of thirty thousand sheep, with horses and cattle in proportion, and forming a settlement of squatters at Port Phillip in Bass's Straits, is surely decisive of this question, as far as intending emigrants are concerned. I should be sorry to say a single word in the way of detraction in reference to the colony of Van Dieman's Land, which, I am happy to say, is undoubtedly one of the most prosperous of the British colonies: but the much greater difficulty of finding unlocated land of good quality and in eligible situations, and the much greater expense of effecting a settlement in that colony than in New South Wales, are considerations of the utmost importance to an intending emigrant, and will doubtless have their due weight in determining his course.

The climate of Van Dieman's Land is unquestionably more congenial to an English constitution than that of the lowlands of New South Wales; but it is not a whit more congenial than that of the elevated tableland of the western and south-western interior of the elder colony. The wheat of Argyle to the south-westward—the direction in which the stream of emigration is now flowing—is equal to that of Van Dieman's Land both in weight and quality, while the English gooseberry arrives at as high a degree of perfection as

in that island, and the cheeks of children exhibit the same ruddy glow of entire health. On the other hand, although the climate of the northern parts of Van Dieman's Land is most delightfully salubrious; that of Hobart Town, from its immediate vicinity to Mount Wellington—on which every cold blast from the South Pole seems to stop for fresh orders on its journey to the northward—is much more subject to those frequent and violent transitions from summer heat to extreme cold, which are so productive of rheumatisms and tooth-aches, than any part of New South Wales. I have been three times in Van Dieman's Land, and have resided at Hobart Town about three months at different seasons of the year; I do not speak, therefore, from mere hearsay.

There is no article of agricultural produce raised in Van Dieman's Land that is not cultivated successfully in New South Wales; but there are many articles of produce cultivated, or that may be cultivated, in New South Wales, that can never be raised profitably, if at all, in Van Dieman's Land. Maize—an invaluable grain to the agriculturist—is not grown in Van Dieman's Land, and there are no orange-groves in that island. The very timber that is used for joinery and cabinet-work in Van Dieman's Land is imported from New South Wales.

But the special advantage which New South Wales enjoys over Van Dieman's Land is the illimitable extent of pasture-land which it presents to the sheep-farmer, or the proprietor of cattle, in almost every direction. Van Dieman's Land is but a small island, not quite so large

as Ireland, and a great portion of its surface is absolutely uninhabitable: the continent of New Holland is as large as all Europe, and contains an extent of available land equal to the whole extent of the united territories of several European kingdoms. This is a circumstance of no small moment in countries which are chiefly valuable for their pasture, and the riches of which must consist principally in their flocks and herds; for Van Dieman's Land will, at no distant period, be *over-stocked* with sheep, and *over-run* with cattle. Again, the climate of New South Wales is universally allowed to be superior to that of Van Dieman's Land for the growth of fine wool; but the reader is, perhaps, not aware that the pastures of New South Wales are much better adapted for the rearing and fattening of cattle than those of the more southern colony. Such, however, is the fact; the native grass of Van Dieman's Land being less nutritious than the native pasture of New South Wales, while it is much more liable to be destroyed during the longer and severer winters of that island. The Van Dieman's Land farmer has to provide artificial food for his cattle—hay, straw, turnips, &c.—during the winter; there is nothing of the kind known in New South Wales. The beef of the latter colony is of superior quality to that of Van Dieman's Land; and butcher-meat generally sells in Sydney for little more than half the price that it costs in Hobart Town.

It is preposterous to represent Van Dieman's Land as the granary of New South Wales. Van Dieman's Land, doubtless, exported wheat in great quantity to

New South Wales, at a time when the elder colony was suffering under an unprecedented visitation of God, which had been aggravated by the almost unprecedented folly of man: but what is the actual state of matters in regard to the commercial relations of the two colonies now, when things may be supposed to have reached their proper level? Why, the balance of trade is now in favour of New South Wales; and the articles exported from the elder colony to Van Dieman's Land consist chiefly of beef and pork, dairy produce—chiefly butter and cheese—horses, oranges, &c.; articles, for the most part, which Van Dieman's Land might have been supposed to have raised in sufficient quantity for its own consumption, long before this time. In fine, although Van Dieman's Land is undoubtedly greatly superior, in regard to its climate and productions, to any of the North American colonies, for a respectable family of small capital to settle in, and though I shall always be most happy to bear testimony to its prosperity and advancement;—I am confident I speak the truth, when I assert that New South Wales holds out a much better prospect to the intending emigrant of moderate capital, the future proprietor of sheep and cattle, if not also to the practical agriculturist, or the cultivator of the soil.

I should be sorry to say a single word that would have the effect of impeding the prosperity of the colony of Swan River, which, I am happy to state, has survived the difficulties of its first settlement, and is now in the highway to advancement; but I cannot help pointing out to the reader the vast difference that

there is between the circumstances of that colony, as a place for the settlement of respectable free emigrants, and those of New South Wales. Supposing both the climate and the soil at Swan River to be equal to those of New South Wales, there are no roads in Western Australia ; labour is not to be procured but at an exorbitant price ; and wool, the chief produce of the soil, which is raised under all these disadvantages, is sold at the very same price in England as the produce of the eastern colony.

The superior claims of the recently formed colony of Southern Australia have been put forth so prominently and so often during the last few years, that it would be unfair to the intending emigrant not to notice them. I have not the slightest wish to depreciate that colony in any way ; at the same time I cannot help remarking that the principles on which it has been founded are somewhat fallacious, as far as regards the best means of colonization on the Australian continent. After all that has been *said and sung* on the subject, *land and labour* are not the only *elements of colonization* in countries essentially pastoral ; for if they are, under what category are we to rank the two millions of fine woolled sheep, and the vast herds of cattle that roam over the boundless pastures of New South Wales, and form the wealth of that most prosperous colony ? The unprecedented prosperity of that colony, notwithstanding the unprecedented dispersion of its mere handful of inhabitants, gives the lie to all those fine-spun theories that have from time to time been thrown off from the looms of certain political economists in England during

the last few years, and that uniformly represent concentration as indispensably necessary to the prosperity of a colony. In opposition to these theories, I maintain that dispersion is the order of nature—the course evidently prescribed by the Creator—in the first settlement of countries adapted in their natural state to the rearing and depasturing of flocks and herds. It is only when the natural advantages which such countries present have been made extensively available by a pastoral population; it is only when, from the natural increase of that population in particular localities, the agricultural state of society begins to be superinduced upon the pastoral, that concentration is found to be either practicable or profitable. Those who imagine that the progress of colonization in Southern Australia will in this respect be at all different from what it has uniformly been in New South Wales and Van Dieman's Land, will soon find themselves egregiously mistaken. The colonists in that settlement will doubtless very soon discover, that it is much more profitable to follow their flocks and herds into the far interior, than to sit down, as cultivators of the soil, on a few acres of arable land on the coast: and as soon as they make this discovery, ingenious theories alone, which every day's experience will tend to falsify, will not induce them to concentrate in opposition to their own obvious interests.

The intending emigrant who bears in mind that the colonies of New South Wales and Southern Australia are separated from each other merely by an imaginary line, which the progress of colonization in New South Wales has very nearly reached already, and that the

land on the one side of that line is just as good for all the purposes of colonization as the land on the other, will doubtless regard it as a circumstance of some importance, in endeavouring to make up his mind as to which of the colonies he should bend his course to, that while land in Southern Australia is not sold for less than one pound an acre, it may be procured on the New South Wales side of the line for five shillings. It is not probable indeed that so great a disproportion will be maintained long, neither is it to be desired, in as far as regards the progress and advancement of the elder colony; but the intending emigrant will recollect that this is the state of things in the two colonies at present.

As to the comparative facilities for obtaining free labour for the purposes of colonization, there cannot long be any material difference between the two colonies. The same system is now pursued in both—that of appropriating the funds arising from the sale of waste land to the encouragement and promotion of emigration. That system will undoubtedly ensure a vast importation of free labour into both colonies; while in that of New South Wales, it cannot be denied, that the importation of convict labour will increase, rather than diminish, the facilities for obtaining labour of the kind required by free emigrants of moderate capital in that settlement.

At the same time, as I have shown that both colonies must necessarily be pastoral settlements for a long time to come, it will be obvious, that in such a state of things as that circumstance implies, the amount of labour required by any capitalist, to enable him to turn his land

to account, will be much smaller than it will eventually be when both colonies shall have reached their agricultural state. It is by no means, therefore, of such importance to the intending emigrant of moderate capital, that there should be so superabundant a supply of labour in the colonial market, as the projectors of the colony of Southern Australia appear to think indispensably necessary for the establishment and maintenance of a colony on the Australian continent. A very small number of labourers would be sufficient to manage as many as ten thousand sheep and two thousand head of cattle; and such will, doubtless, for a long time to come, be the purpose for which labour will be especially in requisition in all the Australian colonies.

In regard to the character of the population of the two settlements, it is not to be supposed that any material difference will be observable in this particular, any more than in the others already enumerated, for a long period. The transportation system must and will be amended, and the colony of New South Wales will ere long experience the beneficial effects of that amendment. The influx of free emigrants, under the new system of emigration now in operation, will gradually elevate the character of society in that colony, and enable it to purify itself; while the ample means now afforded for the religious instruction and education of the colonists will aid and accelerate the process of purification. In the mean time the boundary line between the two colonies will be crossed from both sides of it, in the whole direction of its length; and the popu-

lation on the one side of it will speedily be assimilated, in character as well as in pursuits, to the population on the other.

The vast distance of the Australian colonies, and the consequent expense of the voyage out, have hitherto operated very unfavourably for these colonies. The cost of a cabin-passage from London to New South Wales has usually been as high as £70 to £90, and that of a steerage-passage £35 or £40. Latterly, however, the fares have been considerably reduced. From Scotland a passage to New South Wales is generally much cheaper than from London; and from Liverpool it is now as low as £50 for the cabin, and £20 for the steerage. Ship-owners, surely, do not require to be informed that a reduction of the fare is a premium on emigration; or that the lower the rate of passage-money is reduced, the more passengers are likely to offer.

CHAPTER VI.

ENUMERATION AND DESCRIPTION OF THE LOCALITIES IN NEW SOUTH WALES, WHICH ARE AT PRESENT OPEN TO EMIGRATION FROM THE MOTHER COUNTRY.

“The time cannot be far distant, when the noble scheme of a systematic emigration from all the over-peopled parts of the earth to the under-peopled, preserving health to the mother-countries by moderate depletion, and invigorating infant colonies by the infusion of full-grown labour, will be recognised as the true political wisdom of all advanced states, and generally adopted by them; when an increase of population, instead of being deplored and discouraged by short-sighted statesmen and philosophers, will be hailed with delight as the means of adding to the sum of human happiness, and extending the empire of civilization over the globe.”—*Principles of Political Economy*, by Mr. POULETT SCROPE.

THE stream of emigration is at present flowing in two different directions within the territory of New South Wales,—to the northward and to the southward, or rather the south-westward, of Sydney. In the former of these directions, the first settlement on the coast, to the northward of Port Stephens, the site of the Australian Agricultural Company's grant, is that of the Manning River, on the banks of which there is a very

considerable extent of available land of the first quality, still the property of the Crown. The Company's grant was formerly bounded to the northward by the Manning; but the recent exchange of a large portion of their land in that vicinity for an equally extensive tract in the district of Liverpool Plains in the north-western interior, has thrown open the whole of the lower part of that river to the enterprise of industrious settlers. There is already a considerable population in that vicinity, consisting chiefly, if not exclusively, of cedar-cutters and ship-builders, as the timber on the banks of the Manning is of superior quality and in great abundance: but there is still a sufficient extent of available land for the establishment of a very considerable number of additional settlers of the class of free emigrant agriculturists, the soil being eminently adapted for cultivation.

The intervening country from the Manning River to Port Macquarie is generally of a sterile and unpromising character along the coast, the distance between the two settlements being about sixty miles. At Port Macquarie, however, there is a vast extent of available land of the very best description, both for grazing and for agriculture. Along the Hastings, the large navigable river which empties itself into the Pacific at Port Macquarie, the extent of alluvial land is considerably greater than is generally found on the banks of colonial rivers; and the forest land beyond the reach of its inundations presents a wide extent of eligible pasturage both for sheep and cattle. The Maria River, which empties itself into the Hastings at John's Plains,

about twelve or fifteen miles from the settlement, is navigable for forty miles from its mouth in a north-north-westerly direction ; and there is a large extent of available land on its banks. About ten miles to the northward, from the head of the navigation of the Maria River, another navigable stream, called the M'Leay, is found pursuing a north-north-easterly course to the Pacific, into which it falls about eighty miles to the northward of Port Macquarie. On the banks of this river also the extent of available land is very considerable, and the natives are numerous and friendly. In short, the vicinity of Port Macquarie presents a wide field for the settlement of an agricultural population ; and although the harbours on that part of the coast are all bar-harbours, there is reason to believe that they are all available for steam navigation.

To the northward of Port Macquarie, Moreton Bay, which has been occupied as a penal settlement for the last twelve years, but will shortly be thrown open to free emigration, presents a vast extent of available land of the very first quality. Moreton Bay is an extensive basin situated between the 27th and 28th parallels of south latitude, on the east coast of New Holland, and accessible for ships of large size by two different channels ; the one to the northward, and the other to the southward of Amity Island, at the entrance of the bay. The Brisbane River enters the bay from the westward, towards its southern extremity ; the entrance being both guarded and concealed by a small island called Bird Island. Close to the point of land which helps to form the principal entrance of the river, the

Government have a station called Dunwich, subordinate to the penal settlement on the banks of the Brisbane. Vessels of considerable draught of water anchor off Dunwich, close to Bird Island, while those of lighter burden proceed to the settlement. Dunwich forms an admirable site for a commercial city, which it will doubtless become at no distant day; for although the land in its immediate vicinity is of very inferior quality, there is a sufficient depth of water and safe anchorage for the largest vessels; while an extensive bay abounding with the finest fish, including turtles, &c., and four navigable streams, the Brisbane, the Logan, the Tweed, and Scott's River, afford facilities for a pretty extensive inland navigation. On the banks of the last three of these rivers, or creeks, (for this is their proper character) a considerable number of the convicts at Moreton Bay are at present employed in cutting cedar for the public service: it is brought down in rafts to Dunwich, where it is cut up into plank, and stored for use. The abundance of cedar on the banks of these inlets is a sufficient indication to the Australian settler of the quality of the soil, for the beautiful cedar-tree is never found growing on sterile or inferior land.

There is a bar at Amity Point, at the mouth of the Brisbane River, which a vessel of considerable draught of water cannot pass. It would present no obstacle, however, to the progress of a steam-boat, which could reach the settlement, or, as it is called, Brisbane Town, about forty or fifty miles up the river, just as the

Hunter's River steam-boats ascend that river to Maitland. The buildings at a penal settlement cannot be expected to be either numerous or splendid; but the Military Barracks and the Commissariat Store are both substantial buildings, and highly creditable to the place; and the town of Brisbane can in one most important particular take precedence even of Sydney itself;—in being supplied with abundance of excellent water, which is now conveyed to the settlement in pipes, through the exertions of Captain Clunie, the late zealous and indefatigable commandant.

There is a large extent of alluvial land of the very first quality on the banks of the Brisbane: it produces prodigious crops of maize—as much as a hundred bushels an acre; wheat being cultivated chiefly at Eagle Farm, a tract of open forest land of superior quality, considerably farther up the river, where the country, which is hilly, is of limestone formation. Sweet potatoes are cultivated in the neighbourhood of Brisbane Town most successfully, the produce being as much as fourteen tons per acre. Yams, both of the white and purple varieties, are also raised, of large size and excellent quality. The produce from a piece of ground planted with arrow-root, on the bank of the river, was at the rate of a ton per acre, the quality being declared by the officers at the settlement to be superior to that of any they had ever seen before. On low swampy situations, the *phormium tenax*, or New Zealand flax, thrives uncommonly well; while tobacco, cotton, and the sugar-cane can be cultivated to any

extent, with the prospect of a copious return, in situations adapted respectively to the growth of these tropical productions.

In the Government Garden at Brisbane Town, citrons, shaddocks, oranges, lemons, limes, guavas, peaches, nectarines, apricots, almonds, mulberries, bananas, plantains, olives, &c., &c., &c., are all cultivated most successfully. The citron-tree bears fruit of large size and good quality, all the year round. The shaddocks are of large size; the mulberries most abundant; and the crops of plantains and bananas are quite incredible in quantity. The cocoa-nut tree grows pretty well, but has not yet come to maturity. The coffee plant grows well. The pomegranate, the pedanga, the eugenia uniflora, the loquat, the quince, &c., &c., are also among the botanical productions of Moreton Bay; and culinary vegetables of all kinds are as abundant and of as good quality as in any other part of the territory.

The bush in the neighbourhood of Moreton Bay assumes the most beautiful aspect, presenting an endless variety of rare and valuable plants. Cedar is abundant, and so also is timber for other purposes: the tulip wood and the yellow wood, which are peculiar to Moreton Bay, are the most valuable varieties. The bamboo attains a large size in low sheltered situations: it forms an excellent shade from the sun; and, when encircling pools of water, it is highly ornamental.

The cattle that are reared at Brisbane Town maintain themselves in good condition, and the butter and other dairy produce of that settlement are not

inferior to those of the settlements to the southward : but for the rearing of swine, Moreton Bay is undoubtedly the best settlement in New South Wales, from the abundance of sweet potatoes, yams, and other tropical fruits, which can be raised at that settlement at all seasons and with the utmost facility.

As Mr. Allan Cunningham discovered and traversed a splendid country, admirably adapted for the rearing of sheep and cattle, directly to the westward of Moreton Bay, the future settlers in that vicinity will be enabled to vie with their southern neighbours in their flocks and herds, and will thus, in due time, participate in the woolly riches of Australia.

Whether Moreton Bay will ever become a wine country, we cannot state with confidence ; but the climate appears by no means unfavourable to the culture of the grape. The white, pale, or watery grape grows well, but is subject to blight if exposed to the direct rays of the sun : in a southern exposure, it is not liable to be blighted. The black grape is of a hardier constitution, and resists the blight.

At all events, the nature of the soil and climate at Moreton Bay would strongly suggest the propriety of attracting to that settlement a numerous body of emigrants from the southern provinces of Europe.

From the concurrent testimony of various runaway convicts from Moreton Bay, who have reached the settlement of Port Macquarie by travelling along the coast to the southward, it appears that there are several large rivers on that line of coast, with a large extent of land suitable in every respect for the settlement

and subsistence of civilized man. It is mortifying to reflect, that we should be indebted for our information respecting the capabilities of so extensive and so highly promising a country to so exceptionable a source; especially when the colonial government have all along possessed the means of effecting discoveries along the coast in that direction at a comparatively trifling expense. Indeed, one might suppose that His Majesty's Government would, long ere this time, have been desirous of knowing something more than they yet do of the character and capabilities of their splendid estate of New Holland. The country to the westward, both of Moreton Bay and of Port Macquarie, has been ascertained to be admirably adapted for the purposes of grazing.

In the districts of Hunter's River, Bathurst, Illawarra, and Argyle, there is still a large extent of land of superior quality available for the settlement of free emigrants; but it is chiefly to the vast extent of available land to the southward and south-westward of the districts already settled, that the intending emigrant of moderate capital should look. The extensive tract of country on the banks of the Morumbidgee, in the latter of these directions, has been pronounced by the Surveyor-General, Major Mitchell, as well adapted both in soil and climate for the settlement of an agricultural, as well as of a pastoral population, as any tract of country in the world: it has been partially occupied for several years past by numerous squatters—people who *sit down*, to use another appropriate colonial phrase, with their numerous flocks and herds, on the first eligible and

unlocated tract of waste land they can find in the great wilderness, and who are generally able, from the profits derivable from this mode of settling, to purchase the land of which they have had the temporary occupation, when it comes to be sold. But the country still farther to the southward, in the neighbourhood of Twofold Bay on the east coast, and of Port Phillip in Bass's Straits, is at present the great centre of attraction for intending emigrants : of this tract, or rather tracts, of country, the following notice, which was written on board our good ship after she had weighed anchor in Port Jackson, and was sent ashore by the pilot for publication in a colonial journal, in which it accordingly appeared on the fourth of August last, may not be unacceptable to the reader.

THE SOUTHERN SETTLEMENTS.

TWOFOLD BAY AND PORT PHILLIP.

“ It is one of the most fortunate circumstances for the general welfare and advancement of this colony that could possibly have occurred, that the eligibility and importance of the southern portions of this territory were comparatively unknown to the colonists about ten years ago, when the Australian Agricultural Company planted itself on its immense grant of a million of acres at Port Stephens. The monopoly of so large an extent of the available land of this colony by a Company that has hitherto done so little for the general welfare, and is so exclusively selfish in all its plans and operations as the Port Stephens' Company, is doubtless a great evil

to this community : but that evil would have been tenfold greater, and would have operated with tenfold greater force as a drag and dead-weight upon the colony, had the Company set itself down at Port Phillip, and picked out a million of acres of the best land in that most eligibly situated and highly promising locality. Even if it had appropriated the less important harbour of Twofold Bay, and selected the same extent of the best land within reach of that commanding situation, the general advancement of the colony would have been greatly retarded. We have therefore to felicitate ourselves, that two such important points on our extensive sea-board have been saved from the iron grasp of monopoly, and will in all probability be thrown open shortly, under the existing land regulations, to the competition of adventurous emigrants.

“Twofold Bay is admirably situated for a commercial town, being a sort of half-way house between Sydney and Hobart Town, Sydney and Launceston, Sydney and Port Phillip. In short, it will be the general place of call for the numerous steam-vessels that will shortly be plying regularly along the coast, between the capital and all the settlements to the southward, both on the continent and on Van Dieman's Land. The rapid advancement and the commercial prosperity of the settlement that will shortly be formed in that locality, may therefore be reckoned on as a matter of course ; and we may therefore anticipate that the price of town allotments, wherever the township may be formed, as well as of every acre of available land within a moderate distance of the port, will bear a high price in the

land market from the very first : and if the Government were to adopt the principle of appropriating the proceeds of all sales of land in such vicinities as Twofold Bay and Port Phillip, for the importation of free emigrant mechanics and agricultural labourers into these settlements respectively, setting them down in the first instance at the port nearest that part of the territory from which the requisite fund had been derived from the sale of land to defray the expense of their passage out ; leaving them, of course, to find their way into whatever part of the territory they might choose to settle in hereafter ;—the general interests of the colony would be much better studied than under the present arrangement. Supposing, for instance, that any proprietor were investing £10,000 in the purchase of land and town allotments at Twofold Bay ; it would be hard to have the three hundred and thirty-five families of agricultural labourers and mechanics, which that amount would suffice to bring out from England, at the rate allowed by the Government, all landed at Sydney, and the capitalist who had invested money to so large an amount on the capabilities of improvement held out to him in that part of the territory, left to hire labourers and mechanics probably on much less favourable terms than he might otherwise have obtained in Sydney. On the other hand, if the agricultural labourers and mechanics, imported from the proceeds of the land and town allotments to be sold in the vicinity of Twofold Bay, were to be left to take their chance in that district in the first instance, the value of all descriptions of property in that neighbourhood would be greatly en-

hanced, from the large supply of available labour ; and the Government would be the first to reap the benefit of their own wise policy in the greatly increased value of their land.

“ Besides, it is by no means wise policy on the part of this Government to make such arrangements in connexion with the all-important subject of immigration, as will have the effect of concentrating the population in one or two large towns on the coast, and especially in a single overgrown capital. It would be much better for the colony at large, if a few moderately sized towns could be created in eligible situations, either on the sea coast or in the interior ; and nothing could possibly be more conducive towards the attainment of that important object, than the measure we have taken the liberty to recommend.

“ There is another suggestion, to which we conceive the colonial government ought by all means to attend in forming settlements in such localities as Port Phillip and Twofold Bay. The facilities which the present system of alienating Crown lands affords to grasping monopolists,—who, in purchasing land of the very first quality for cultivation, propose to occupy it merely as sheep or cattle runs,—ought to demonstrate to the Government the absolute necessity of rescuing such tracts of land as are peculiarly eligible, either from their situation or from the quality of the soil, for the formation of agricultural settlements. It would be a prodigious loss to this colony, for instance, if the large extent of arable land of the first quality within reach of water-carriage at Port Phillip should be portioned out

into large sheep and cattle farms. If any such arrangement could be devised and carried into operation as would have the effect of cutting up a large portion of the best tillage land in that neighbourhood into small farms, we should soon have a numerous and thriving peasantry to occupy many extensive tracts in that most promising locality, which will otherwise remain mere solitudes as sheep-walks and cattle runs.

“ Twofold Bay is a safe and commodious, but by no means an extensive harbour; Snug Cove, as it was named by the accurate Captain Flinders, being only large enough to afford mooring-room for about half a dozen vessels: as a port, it will never compete with Port Jackson; but it would form an excellent harbour for steam-boats and other coasting vessels; and it will doubtless very soon be a place of considerable trade. The land in the immediate vicinity of Twofold Bay is of very inferior quality, although about twelve miles from the Bay there is a limited extent of tolerably fair land. About thirty miles inland, however, the country begins to improve, and a vast extent of land of the first quality stretches far and wide to the northward and westward, inviting alike the agriculturist and the grazier, and holding out the fairest promise to persevering industry.

“ The country to the westward of the coast range is called by the natives Maneira, or Monaroo: it is not exactly a plain or plains, as it is generally denominated, but is rather a series of gentle undulations; the soil rich and fertile, and the land gently diversified with hill and dale, lightly timbered and remarkably well watered.

From Twofold Bay the country rises gradually till we reach the level of the plains, which are an elevated table land or terrace parallel to the coast, and affording a firm basis for the Snowy Mountains or Great Warra-gong Chain to spring from, to the westward. A gentleman of great agricultural experience, who has recently traversed the Maneira country in various directions, informs us that the plains form a square of about a hundred miles in extent, and present a country well fitted in every respect for the residence and sustenance of civilized men. Whether the distance of the good land from Twofold Bay might not render it impracticable for the future settlers in that district to compete with those of Port Phillip in the production of grain for exportation to Sydney, we are not sufficiently acquainted with the nature of the intervening ground—*iniquitas loci*—to determine ; but there is no doubt whatever as to the fitness of the plains themselves to sustain a numerous population, especially towards their southern extremity. Timber for building purposes, for fencing, and for fuel, will probably be scarce enough in some parts of the plains ; and on so elevated a region as Maneira, with the snowy mountains rearing their bleak rocky summits along their whole extent, and chilling the beholder with the very sight of them, a sufficiency of timber for fuel will be a consideration of first-rate importance. At all events, it is undeniable, that in the district of Maneira, extending from the present limits of the colony to Twofold Bay and Cape Howe, there is a larger extent of available land, whether for pasture or for agriculture, than in the whole island of Van Die-

man's Land. It is at present parcelled out into large portions, some of them as extensive as German principalities, among a noble army of squatters, who, by grazing numerous flocks and herds on its native pasture, are not only giving value to the land, but enabling themselves to become its purchasers whenever it is destined to pass under the hammer of the auctioneer. Indeed, so far from its being sound policy on the part of the Government of this colony to discourage the practice of squatting, (we mean, of course, in the case of persons of acknowledged respectability) that very practice goes directly to form one of the most important sources of revenue in the colony, as in due time every squatter will become a purchaser and proprietor of land; whereas, if the practice were discouraged, many, who are enabled to become purchasers of land under the present system, by rearing their flocks and herds on the waste land beyond the limits, would in all likelihood never be able to purchase a single acre of land.

“Port Phillip is an inlet of the sea in Bass's Straits, stretching about thirty-five miles into the continent of New Holland.* It was taken possession of and occu-

* The following account of this inlet is extracted from a nautical Directory for the coasts of New Holland. Port Phillip is situated in Bass's Straits on the southern coast of the continent of New Holland, in lat. $38^{\circ} 18'$ South, and in long. $144^{\circ} 38'$ East, nearly opposite the entrance of the Samar River in Van Dieman's Land, from which it is distant only about twenty-four hours' sail. “It is capable,” says Captain Flinders, “of receiving and sheltering a larger fleet of ships than ever yet went to sea; but the entrance, in its whole width, is scarcely two miles, and nearly half of it is occupied by rocks lying off Point Nepean on its eastern side.” It extends about thirty miles into the land in a northerly direction, and is from fifteen to eighteen miles wide; throwing off a branch in a west

pied for some time as a dependency of this colony in the year 1803 or 1804 ; and the history of its settlement and abandonment, at that early period in our colonial history, forms one of the most instructive episodes in the history of British colonization. One would have supposed, that in forming a settlement in such a locality as Port Phillip, the shores of the extensive inlet would have been examined, and the nature and capabilities of the adjacent country ascertained in some measure, before a spot was fixed on as a site for the settlement. It is evident that all this was done, to some purpose too, at Port Phillip ; for, as if to impress the black natives with a high idea of British discernment and perseverance, the royal standard was hoisted and the settlement formed on the only piece of sterile land within the heads. It followed, as a matter of course, that a settlement, which had been so judiciously formed, should be as hastily abandoned ; and it was only after exterminating a whole race of men in a neighbouring island, and converting their country into sheep walks and cattle runs, that the people of Van Dieman's Land accidentally discovered the very superior eligibility of the station which had been so wisely abandoned thirty years before. In short, the goddess that appears to have been the most frequently consulted in the formation of British colonies is the Goddess Chance, and no wonder

south-westerly direction, which extends into the land about fifteen miles, having an entrance of six or seven miles wide, and a small inner basin at its upper end, communicating with the larger one by a narrow navigable channel. Port Phillip is separated from Western Port by a narrow promontory forming the eastern side of the latter.

therefore that her eldest daughter Mis-chance should so frequently have lent her aid on the interesting occasion.

“Port Phillip has been taken possession of within the last eighteen months by a whole company of squatters from Van Dieman’s Land, some of whom, it appears, have formed themselves into a company, and pretend to have purchased a large extent of land—for a mere trifle of course—from the black natives. It is scarcely credible, that men of understanding and experience in the world could imagine that the British Government would ever be so far lost to all sense of propriety and justice, as to sanction any transaction of this kind, now especially when so large a revenue is derivable from the sale of waste land, and when the funds arising from such sales are to be appropriated towards the encouragement and promotion of emigration. Why, it has already been ascertained, that there are at least upwards of three millions of acres of available land, generally equal to the best in Van Dieman’s Land, at Port Phillip. Now, supposing that the whole of this land were to be sold at the Government minimum price of five shillings an acre, (and the probability is that a large portion of it would bring much more) this sale would produce £750,000, and enable the Government to land at Port Phillip no fewer than twenty-five thousand families of virtuous and industrious emigrants. And is the British Government, after the thousand and tens of thousands of British money that have been expended in establishing this colony, to forego the opportunity of raising so large a revenue, and doing such a world of

good, both at home and abroad, merely because a few simple colonists of Van Dieman's Land, with Mr. Gellibrand at their head, after having killed or banished all the aborigines of that island, have come over to enact the solemn farce of purchasing whole earldoms in this island from its poor deluded black natives for a *ha'p'orth o' tay and a farthing's worth o' tobacco?*

“The European population of Port Phillip already exceeds two hundred souls: upwards of thirty thousand sheep, all imported from Van Dieman's Land, are now cropping the luxuriant vegetation of its natural pastures; and eight or ten vessels have been regularly employed for some time past in trading to and from Port Phillip to Van Dieman's Land, chiefly in carrying sheep and cattle to the new settlements. Indeed, the colonization of Port Phillip has supplied a wonderful stimulus to our Tasmanian brethren, and will be quite the making of the town of Launceston, from the entrance, to which it is distant only about twenty-four hours' sail. In such a state of things, it would be impolitic in the extreme for the British Government to defer extending the boundaries of the colony to Bass's Straits. The people at Port Phillip want protection; they want a government of some kind; they want land which they can call their own; and it behoves the British Government to grant them all the three as soon as possible. The vanguard of our colonial settlers in that direction have already advanced a hundred and ninety miles towards Port Phillip beyond the settlement of Yass, and the remaining distance to that port is not more than about two hundred and ninety miles. There are

herds of cattle collecting in the interior, with a view to being driven over-land to Port Phillip, as soon as the weather gets a little milder; and we hope ere long to hear of a good road and a steam-coach all the way."

Since the publication of this paper, the colonial boundary has been extended in the direction of Port Phillip to Bass's Straits; a commandant and police magistrate, an officer of customs, and three surveyors having been sent by His Excellency the present Governor, to take possession of the country in that vicinity, and to form a regular settlement on the part of Government. That settlement will very soon be one of the most important in the colony; and if the Government should allow the extensive tract of highly eligible land in its immediate neighbourhood to be sold for five shillings an acre, as is the case at present, it will infallibly prove a very awkward centre of attraction for the colonists of Southern Australia, whose extensive territory it closely adjoins; land in that colony being procurable only at a pound an acre.

I shall conclude this chapter with a brief sketch of the progress of geographical discovery in the interior of the Australian continent during the last three years, premising, however, this one observation;—that in the various localities I have already enumerated and partially described, there is abundant room for the settlement of the whole of the superabundant portion of the population of Great Britain and Ireland for a century to come.

Major Mitchell, the Surveyor-General of New South

Wales, was directed by His Excellency Sir Richard Bourke, to proceed on an expedition of discovery into the interior of the Australian continent, in the early part of the year 1835, to trace the Darling river, which had been discovered by Captain Sturt, and traced by that officer for about ninety miles in a southerly direction to its unknown outlet. Captain Sturt, it will be recollected, had subsequently discovered the outlet of another river on nearly the same meridian, when sailing down the Morumbidgee and the Murray to the lake Alexandrina, very far to the southward; and the problem to be solved by Major Mitchell's expedition was whether this river was the Darling.

Major Mitchell proceeded in a westerly direction, from Boree, a grazing station to the westward of the settlement of Bathurst, along the Bogan river, or New Year's Creek of Captain Sturt, till it emptied itself into the Darling. That river, he ascertained moreover, was the real receptacle and conduit of the waters of the Macquarie, which had been erroneously supposed by Captain Sturt to find their way into the Darling by a different channel; and along its banks, till it emptied itself into that river, he found moderately good land, with abundance of pasture for cattle, as well as of useful forest timber. The Darling he found impracticable for navigation in that part of its course, but he succeeded in tracing it for three hundred miles to the southward, from the point where it receives the waters of the Bogan; leaving only a hundred and thirty miles of its farther course, to the point where it is supposed to empty itself into the Murray, or Morumbidgee, unex-

plored. The valley of the Darling is evidently subject to inundations, which, from the long course it pursues to the southward, and from its being the general receptacle of the western waters, must be frequent and extensive. In general it is unpromising enough in its appearance ; but as Major Mitchell discovered no fewer than thirty new varieties of grass in the course of his expedition, and entirely in the valley of the Darling, it must afford considerable facilities for the settlement and subsistence of a pastoral population. Major Mitchell's despatch, giving an account of this expedition, will be found in the Appendix, No. 1.

In the year 1836, Major Mitchell was again directed by Sir Richard Bourke to proceed to the interior, to follow up the discoveries of his former journey, by tracing the Darling for the remainder of its course. He had not returned to the colony when I embarked for England on the 29th of July last ; but it seems he has not only effected his object, but discovered a tract of country of first-rate character, both in point of soil and of scenery, larger than the whole island of Great Britain, and ready in great measure for the plough. Whether this tract of country, which Major Mitchell has named AUSTRALIA FELIX, lies within the territory of New South Wales, or forms a part of the colony of Southern Australia, does not clearly appear ; for the only notice of this important discovery which has yet reached England is contained in a very short quotation from Major Mitchell's despatch in a newspaper advertisement. The vessel that brought the newspapers containing that advertisement left the co-

lony about the middle of December last, but the journals containing copies of the despatch itself have not yet reached England, although the vessel in which they had been forwarded, and which appears to have been a dull sailer, had sailed some time before. A discovery, however, which would justify the designation of *Australia Felix*, and the glowing language in which Major Mitchell describes it in the quotation referred to, must be of transcendent importance to the mother country, as well as to the Australian colonies generally.

Should Major Mitchell's despatch arrive in England before the publication of this work, it will be inserted in the Appendix.

The state of morals in New South Wales was sufficiently low, previous to the era of free emigration in the year 1831. It is almost unnecessary to speak of the state of religion in such a condition of society as was then prevalent in the colony. There were "a few names," however, "even in Sturtia," who had uniformly maintained a higher character; but they were

"a few individuals struggling above water in the midst of a vast whirlpool of iniquity and pollution." From the period above mentioned, however, the colony began to assume a more favourable aspect. Con-

CHAPTER VII.

ESTIMATE OF THE STATE OF MORALS AND RELIGION
IN THE COLONY, WITH A VIEW OF THE EXISTING
RELIGIOUS ESTABLISHMENTS AND DENOMINA-
TIONS IN NEW SOUTH WALES.

“Also Amaziah said unto Amos, O thou seer, go, flee thee away into the land of Judah, and *there* eat bread, and prophesy *there*: but prophesy not again any more at Bethel; for it is the King's chapel, and it is the King's court.”—Amos vii. 12, 13.

THE state of morals in New South Wales was sufficiently low, previous to the era of free emigration in the year 1821. It is almost unnecessary to speak of the state of religion in such a condition of society as was then prevalent in the colony. There were “a few names,” however, “even in Sardis,” who had uniformly maintained a higher character; but they were

——— *rari nantes in gurgite vasto*;

“a few individuals struggling above water in the midst of a vast whirlpool of iniquity and pollution.”

From the period above mentioned, however, the colony began to assume a more favourable aspect. Con-

cubinage was gradually discountenanced in the higher circles of the colony, and of course gradually disappeared from the face of society ; for although still practised by a few *old offenders*, the daily increasing array of well-ordered families, both among the free emigrant and the more reputable portion of the emancipist population, has in great measure driven that particular form of colonial profligacy into the shade.

It is scarcely, however, from the higher classes of colonial society—whether Government-officers, lawyers, landholders of the higher class, or merchants—that a healing influence can be expected to emanate, to cleanse and to purify the land. The men who are “*clothed in purple and fine linen, and who fare sumptuously every day,*” may be powerful to do good from their wealth and their station in society ; but that good is but rarely done, and the influence they exert on society is of consequence far more frequently evil. Even their profession of Christianity—a sort of fashionable accompaniment of gentility wherever there is a dominant state church—is unquestionably far more hurtful than beneficial to the cause of pure and undefiled religion ; for the vessels of the House of God are for the most part polluted by their desecrating touch, and the day of God profaned by their unholy example. Despicable avarice, pitiful meanness, and the practice of downright injustice are by no means completely banished even yet from the genteel circles in New South Wales ; and I have sometimes been surprised to find how small a portion of honourable principle had gone to furnish out a stock in trade in the colony for honourable men. In short, the

influence of the higher classes in New South Wales has been for the most part decidedly unfavourable to the morals and religion of the country.

The moralist will ask, therefore, how it fares with inferior classes in the colonial community; and in reference to such a question, it must be acknowledged, that in directing the eye towards those who occupy the lower steps of the colonial ladder, especially in the towns of the colony, the prospect is sufficiently discouraging. The first ambition of a newly emancipated convict is to be employed as a constable—a situation which ensures him sufficient pay for his maintenance, and enables him to lead a life of comparative inaction. The next object of his ambition is to obtain a license to keep a public-house; which, however, is easily obtainable for £25 per annum, provided his house and character are sufficient to satisfy the visiting magistrates. The number of these nuisances has increased prodigiously in the colony during the last few years, and the consumption of ardent spirits has increased proportionably. In the year 1823 the free population of Sydney amounted to from eight to nine thousand persons, and the number of licensed public-houses was eighty-three, that is, one for each hundred persons. There were various other houses, however, that sold *on the sly*, as it is called, or without a license; and most of the respectable families of the town were supplied by the wholesale dealers or merchants, who are empowered by an Act of Council to sell spirits or wine in quantities of not less than two gallons without a license. During the ten succeeding years, the population of Sydney

more than doubled itself; but the number of public-houses increased in a much higher proportion. There is reason to believe, however, that the number of unlicensed grog-shops is at present comparatively smaller than it was in 1823, from the greater efficiency of the Sydney police. The number of licensed public-houses in Sydney is now upwards of two hundred: the licenses alone produce an annual revenue to the Government of more than £5000, exclusive of the direct duties on spirits, which amount for the whole colony to £117,000 per annum.

The supposed profitableness of the business is doubtless the chief source of attraction on the part of the noble army of colonial publicans. Indeed, I have been repeatedly vexed and mortified exceedingly at finding free emigrants, or the sons of free emigrants, of reputable standing in the colony, who I knew were influenced by this consideration alone, degrading themselves and ruining their families by becoming retailers of ardent spirits to the vilest of the vile. In one case of this kind, in which I was apprised beforehand of the intention of the family, I employed every argument I could think of to induce them to forego that intention, but unfortunately without effect. I foresaw and foretold them the result: accordingly I was called to visit the family a few months afterwards in a clerical capacity; and, on ferreting my way through clouds of tobacco-smoke and the sickening fumes of rum, I found the wretched husband struck with *delirium tremens*, and lying apparently in the jaws of death; while his distracted wife was wringing her hands at his bedside, and

his children bathed in tears. A depraved taste, however, and the love of a lazy indolent life, are additional sources of attraction in many instances; and I am sorry to add, that certain even of the native youth of the colony have exhibited these grovelling dispositions, and enrolled themselves in the despicable list of publicans of the lower class, instead of endeavouring to earn an honest livelihood like reputable men.

Whether the number of public-houses in Sydney ought to be limited by authority, is a question I have been asked in the colony, but which I professed myself unable to answer. I am inclined to believe, however, that the influence to be employed successfully in counteracting so enormous an evil must be of a totally different kind—and that the cruse of purifying salt, which alone can be expected to heal the bitter waters, must be cast in at the fountain-head, or at least much higher up the stream.*

I had found on inquiry several years before, that a

* There has been a Temperance Society in Sydney for some time past, with auxiliaries in other parts of the colony; but it has not as yet made much progress, notwithstanding the zeal and activity of certain of its members. The grand mistake consisted in allowing the importation and consumption of ardent spirits from the first in a convict colony; and the best means of remedying the enormous evil that has resulted from a state of things so thoroughly monstrous, would be the absolute prohibition both of the importation and the manufacture of ardent spirits in the colonial territory. The respectable colonists begin to perceive that a measure of this kind would tend greatly to the advancement of their pecuniary interests as well as to the general advancement of the colony; and there is no doubt whatever but that the attempt to carry such a measure would be made and well supported, if the colony had only a respectable legislature.

great proportion of the money expended in the public-houses of Sydney was expended by mechanics—chiefly of the class of emancipated convicts—whose wages, I ascertained also, were sufficiently high to enable them to spend several days every week in low dissipation, to the great annoyance and the serious loss of their employers. It appeared to me, therefore, that the only effectual remedy for so great an evil would be to introduce into the colony a number of reputable and industrious free emigrant mechanics from the mother country, who by working at their several handicrafts six days every week, and expending their earnings in a proper manner, would in due time render the means of dissipation less easily attainable by the emancipated convict-mechanics, and withdraw the means of support, to a certain degree at least, from the colonial publicans. Attempts had doubtless been repeatedly made by individual colonists to carry out mechanics to New South Wales, under engagements to serve for a sufficient length of time in the colony to repay the expense of their passage out; but these attempts had always been unsuccessful, the mechanics uniformly breaking through their engagements as soon as possible.* It appeared to me, however, that if mechanics only of proper character were selected, they would faithfully fulfil their engagement, provided that engagement were an equitable one; for it often

* The testimony of John Macarthur, Esq. on this subject is very explicit: "There is no instance on record," says that gentleman, "where settlers have been able to prevent their indented servants, hired in England, from becoming dissatisfied, and then leaving them after their arrival."

happened, in the instances I refer to, that a breach of engagement on the part of the servant or mechanic had been occasioned by a previous attempt to overreach him on the part of the master or employer—the mechanic being generally hired in the mother country to labour for a term of years in the colony at English, instead of colonial wages.

On my arrival, therefore, in England for the second time, in December, 1830, Lord Viscount Goderich, His Majesty's Principal Secretary of State for the Colonies, having been pleased to grant a loan of £3500 from the Colonial Treasury, to assist in establishing a college for the education of youth in the town of Sydney, it appeared to me, that if part of that amount were to be advanced, in the first instance, in providing a passage to New South Wales for a number of free emigrant mechanics with their wives and children—these mechanics to be under engagement to erect the college-buildings, receiving the current wages of the colony, and leaving a certain proportion of these wages to repay the expense of their passage out—the proposed experiment, so highly important in its possible bearings on the moral welfare of the colony, would receive a fair trial, while the interests of the Institution would not be prejudiced. Lord Goderich was pleased to approve of the measure, and I accordingly chartered the *Stirling Castle*—a vessel of three hundred and fifty tons; and carried out to the colony in the year 1831 a number of free emigrant mechanics with their wives and children on the conditions above mentioned; the whole party amounting to one hundred and forty persons.

These mechanics consisted chiefly of house-carpenters and stone-masons, with a few plasterers, blacksmiths, cabinet-makers, rope-spinners, and coopers: I had selected them all myself chiefly in Edinburgh, Glasgow, Greenock, and Ayrshire. They were from all parts of Scotland; for as I had reason to believe they would all do well in the colony, it seemed likely that a much more extensive emigration of their friends and connexions would afterwards ensue, if the intelligence of their success could be spread over a wide extent of country, than if the original emigration had taken place from any particular locality. The mechanics were under engagement to pay at the rate of £25 for the passage of each adult person in their respective families by weekly instalments from their wages after their arrival; those of them whose services were available in house-building to be employed in the erection of the college-buildings.

We arrived in the colony in October, 1831, and in seven days after the college-buildings were commenced; the average rate of wages for good mechanics being then £2 sterling a week. In six or eight months, all the unmarried men had paid the whole of their passage-money by weekly instalments from their wages; and when the buildings were at length necessarily discontinued for a time, the greater number of the married mechanics had paid about two-thirds of theirs. In short, the experiment proved completely successful.

The Scotch mechanics, as they were called in the colony, were men of superior ability in their respective handicrafts; for I had required them, previous to their

being engaged, to produce certificates of their mechanical skill, as well as of their moral character, and their connexion with some Christian congregation. In addition, therefore, to the other consequences of their importation, they greatly improved the style of architecture throughout the colony; and, by becoming contractors for public buildings, they have already enabled the Government to erect superior buildings at a much cheaper rate than had previously been current in the colony.

But it was the moral influence of their example, as sober and industrious men, that was of greatest importance to the community. A few months after their arrival, no fewer than sixteen of them joined together in the purchase of an allotment of ground in the town of Sydney, which was afterwards surrendered to eight of the number: seven of them subsequently entered into partnership, as contractors for the erection of the stonework of various public and private buildings both in Sydney and in the interior: several others had purchased allotments on their own private account, after paying for their passage out, and erected good houses of stone for their own residence in the colony; and individuals of their number had even sent home money to their poorer relatives in Scotland. Nay, before fifteen months had elapsed from the period of their arrival, several other families and individuals of a similar class in society had arrived in the colony from various parts of Scotland; having emigrated to New South Wales solely in consequence of the favourable intelligence they had received from their relatives of the state of the

country, and of the prospect which it held forth to persons of a similar station in life.

There was some difference of opinion in regard to the average rate of wages in the colony immediately after our arrival; and some of the mechanics, who had been deputed by the rest to make inquiries on the subject, being naturally desirous that they should be fixed at as high a rate as possible—viz. at £2. 2s. a week—I observed to them, with a view to have the rate fixed somewhat lower on behalf of the Institution, that as soon as it should be known in Scotland that they were actually receiving such wages as they required, a whole host of additional mechanics would forthwith be poured into the colony; leaving them to infer that the wages of mechanical labour would eventually be reduced to a much lower rate. “So much the better, Sir,” said one of their number, who had been studying Adam Smith; “the demand will increase with the supply.” I confess I was of a different opinion at the time, but the result has fully justified the mechanic’s anticipation; for although a very great number of reputable mechanics arrived in the colony subsequently to the period I refer to, and established themselves in various departments of business in the town of Sydney; the demand for mechanical labour kept pace so regularly with the supply, that the average rate of wages for such mechanical labour as is required in house-building was still £2 a week and upwards, up to the time of my leaving the colony for England in July last.

But the emigration of reputable and industrious persons of various other classes of society has kept pace

with the emigration of mechanics from Great Britain to New South Wales during the last few years ; and their influence in the colony generally has been salutary in the highest degree. I shall have occasion to speak particularly of the influence and effects of *female emigration* in the sequel. In short, from the period of the arrival of the Scotch mechanics, a visible and striking change for the better has gradually been effected in that important and highly influential portion of the population of the colonial capital to which they belong ; and men of intelligence and reputation all over the territory have consequently seen with their eyes, and are now convinced, that the most effectual and the best means of elevating the moral tone of the colony, and of promoting its general advancement, would be to import at the public expense, and to settle all over the territory, a numerous, industrious, and virtuous free-emigrant population.

In forming an estimate of the state of morals in the Australian colonies, it must not be forgotten, that although many of the free emigrants, who have settled in these colonies during the last forty-five years, have uniformly been men of reputable character and respectable standing in the world, others have been driven to emigrate as a sort of *dernière ressource*, after every expedient for gaining a livelihood in the mother country had completely failed ; and it sometimes unfortunately happens that such persons are just as bankrupt in character as in purse. In the heavy sea of adversity they have had to encounter, in their unsuccessful attempt to reach the port of Fortune, they have not only had to

cast their lading overboard, but have also had the bulwarks of their virtue swept away.

The very length of the voyage from England has exerted a demoralizing influence on the free-emigrant population of the Australian colonies ; inasmuch as it sometimes induces habits of indolence, which are afterwards not easily overpowered ; while the more frequent and sometimes unlimited use of wine and ardent spirits on ship-board, insensibly produces a taste for that species of dissipation. I have known young men of the fairest promise at their outset in the world, who had acquired habits of this kind on their passage to the colony, and whose subsequent lives were a mere alternation of listless inaction and low dissipation. To persons who are indisposed to literary avocations, life is often a complete blank at sea ; and it is sometimes so much worse, that I have often thought it would subserve the interests of morality in New South Wales, if the Faculty could administer to many hopeful adventurers, on their embarking for that colony, some opiate which would lay them sound asleep till they got within the Heads of Port Jackson : for, in opposition to the poet's maxim,

Non mutant animos qui trans mare currunt ;

“ Men do not change their dispositions by merely crossing the sea,”—I can testify, from my own observation, that many persons, and especially young men, really become worse members of society than they were before, in the course of a long voyage.

Nay, I am confident that the ruin of many a

young man in the colonies, of the class of clerks and adventurers in general, may be dated from the hour when he first planted his foot on a ship's deck. A young man of this class, arriving in the colony from Scotland, naturally attends the Scots Church in Sydney for a few Sabbaths after his arrival; and when he hears the Psalms of David sung to the ancient melodies of his father-land, by a congregation of his countrymen at the extremity of the globe, the hallowed scenes of his boyhood recur to his recollection with overpowering influence; and he almost exclaims, with the patriot king of Israel, "*If I forget thee, Jerusalem, let my right hand forget her cunning, and my tongue cleave to the roof of my mouth.*" By and by, however, he is invited to spend a Sunday with Mr. Whalebone the merchant, who prefers a drive to Parramatta or a water-excursion in the harbour to all the prayers and sermons in the colony, and who, perhaps, generously furnishes the young Scotchman with a list of cogent reasons, why he—Mr. Whalebone, to wit—does not attend divine service in the colony, and why his young friend from Scotland should discontinue his attendance also: indeed, brandy and water and Manilla cigars over-night are a bad preparation for the hallowed exercises of the sanctuary of God; and the visits of the hopeful youth, who has had a seasoning perhaps on shipboard, and who is now almost completely climatized, are consequently few and far between. The progress to downright infidelity on the one hand, and to downright dissipation on the other, is short and rapid; but in all probability it is neither so short nor

so rapid, but that the young man's relatives in the mother country may have heard betimes of the state of matters in regard to "the hope of their family" beyond seas, and may write him by every opportunity, in the bitterness of their heart, to endeavour if possible to save him from utter ruin. The letters are read as a matter of course, and perhaps their contents awaken a sudden pang of remorse in the first instance; but the emotion is merely momentary, and it probably gives way to a feeling of anger at the *ungenerous and unjust suspicions*, forsooth, that are entertained respecting him; and this feeling in all likelihood issues in a fixed determination to write no reply. The letters that are thenceforward received from the same quarter by every opportunity, are perhaps coolly deposited by the tender-hearted youth with their seals unbroken in the bottom of his trunk, because, forsooth, *they are all about the old story*; and the circumstance is perhaps brought to light by an utter stranger to his family after his death; which in some cases of the kind is alarmingly sudden and unexpected, in others slow and sure. I have followed the remains of such individuals to the grave; and as I read their age, or, to speak more properly, their youth, on the black tin-plate on their coffin-lid, while the corpse was lowered slowly into its narrow house, I have fancied I saw the aged mother sitting at the door of her cottage in some solitary Scottish glen, and weeping bitterly as she reminded her still more sorrowful but all-silent husband, how many months had elapsed since they had last heard from their son; and I have thought how the tidings of the scene I had just wit-

nessed, when they reached the distant Scottish glen, would break the heart of that mother, and bring down the gray hairs of the father with sorrow to the grave !

There are three other sources of colonial demoralization, besides those I have already enumerated, to which I shall shortly allude. The first of these is the colonial press, which in time past, as I have already hinted, has with only few exceptions been an instrument of evil instead of good, while in many instances it has been a mere receptacle and propagator of downright blackguardism. The filth and abomination of the British metropolis are very properly allowed to find their way to the river in large common sewers underground ; but the conductors of the colonial press have hitherto, with only one exception, made it a regular practice to spread the filth and abomination of Sydney on the public tables of the colony, in the form of lengthy police-reports ; of technical descriptions of those interesting scenes in which one brute breaks the jaws of another with his clenched fists used as a hammer ; or of glowing accounts of those more fashionable arenas, where that wealthy colonist, Mr. Woolpack, degrades himself beneath the level of a gentleman, by betting lustily on the abilities of his thorough-bred Australian racers with persons who were only yesterday transported felons.

The spirit of litigation, which prevails in New South Wales to a prodigious extent, and which is naturally fostered by the legal profession, whose name in the colony is *Legion*, is also a copious source of colonial demoralization. It is not surprising, indeed, that such a spirit

should prevail among the class of emancipists ; for those who have themselves been *brought up to the bar*, may be supposed likely to patronize the legal profession. It is by no means confined, however, to persons of that class ; and the scenes of downright malice and downright villany that are too frequently exhibited in the Supreme Court of the Colony, in the case of vexatious law-suits instituted by one free emigrant against another, can only be accounted for on the supposition, that such individuals belong to that class of emigrants, who have arrived in the country as destitute of right principle as of ready money.

The general prevalence of a spirit of grasping avarice among the buying and selling portion of the community has also had a most unfavourable influence on the morals of the colony. The idea of asking a fair price for an article was seldom thought of in the colony, till within the last few years : the grand question was, how much could be got for it by any means ; and I am sorry to add, it was not always considered, even in quarters where one should have expected better things, whether the means were fair or otherwise. I am happy to state, however, that the mercantile transactions of the colony, both in the wholesale and retail departments, are now conducted on a much better system. The profits on particular speculations have gradually become more and more reasonable, in proportion as the field of mercantile enterprise has widened, and competition increased ; while the numerous reputable free emigrants, who have recently arrived in the colony, and established themselves as dealers in general, or as manufacturers of

articles for sale in various branches of business, have already made sad inroads on the province of the old colonial extortioner, by asking only a reasonable profit on their articles of merchandise, or a reasonable price for their labour. In short, the mercantile pulse of the colony does not beat quite so high at present as it did formerly ; but it indicates a much higher state of health in the body politic of the country.

Colonial religion is a subject which an honest man can scarcely approach, without giving prodigious offence. God forbid, however, that I should be deterred for one moment by any such consideration, or even by the personal inconvenience or hardship it may occasion myself, from opening the eyes of the reader to the true state of the colony in that most important particular ! I trust the following remarks on colonial religion will exhibit the same impartiality which, I am confident, I have already evinced in treating of the less weighty concerns of colonial policy and colonial agriculture.

For many years after the settlement of the colony, the only ministers of religion who were permanently stationed in the territory were colonial chaplains of the Church of England. One would have thought, that in a penal colony, ruled by the lash and awed by the bayonet, it would have been the policy of the Government and the dictate of common sense, to have kept this spiritual machinery, scanty and inefficient as it was in its best estate, unsuspected in its character and unencumbered in its wheels : but it seems as if some spirit of darkness had obtained the patent of Colonial Adviser-General on the first settlement of the colony, and

had, in order to prevent, if possible, the reformation of its depraved inhabitants, cast poison into every spring; for, in order completely to neutralize the moral and religious influence of the colonial chaplain, he was generally made a magistrate of the territory or a justice of the peace. It was natural for the colonial chaplain, whose ordination was perhaps conferred exclusively *for foreign parts*, to regard such an appointment as a desirable accession to his colonial respectability, and to be altogether insensible to the clerical degradation to which it really consigned him: but in what light will the man of proper feeling, the man of Christian education, regard such an appointment, in a state of society, in which the most frequent duty of a magistrate has hitherto been to sentence the *prisoner at the bar* to twenty-five or fifty lashes? Was this befitting employment for a minister of the Gospel of peace? Was it likely to recommend either his message or his Master, or to conciliate kindly affection towards himself? In other countries the clergy have often been accused of taking the *fleece*; but New South Wales is the only country I have ever heard of, in which they were openly authorized, under His Majesty's commission, to take the *hide* also, or to flay the flock alive. Under so preposterous and so enormous a system, well might the miserable wretch, whose back was still smarting under the Saturday's infliction, join in the oft-repeated prayer of the Litany on the Sunday morning, "Lord, have mercy upon us!" and well might he add, from the bottom of his heart, "for his Reverence has none!" I should be sorry to insinuate that clerical magistrates were in any instance more severe in their penal in-

fictions than laymen: on the contrary, I should imagine they were generally the reverse. All I mean to assert is, that, in such a state of society as has hitherto prevailed in the Australian colonies, the union of the clerical and the magisterial authority was a monstrous conjunction, and was directly calculated to neutralize the moral and spiritual influence of the clergyman, and in so far to prevent the Christian religion from taking root in the land. I am happy to state, however, that the system of appointing clerical magistrates was at length discontinued by order of the Right Honourable Earl Bathurst, during the government of His Excellency General Darling, in consequence, I believe, of certain representations on the subject which had found their way into the House of Commons.

In the earlier times of the colony, the emoluments of a clergyman were comparatively small; and in those seasons of scarcity, which at that period so frequently occurred, they were insufficient for the maintenance of his family. Grants of land were accordingly given to clergymen, as well as to military and civil officers in the service of the Government, and to private individuals; and the colonial chaplain was consequently tempted to engage extensively in the pursuits of grazing and agriculture. But the practice once admitted continued to subsist long after its necessity had ceased; and the genuine representatives of the sons of Aaron in the colony stood forth at length before the Australian community, as illustrious in the list of colonial graziers, as their brethren of the tribes of Reuben and Gad, and of the half tribe of Manasseh. Nay, as there was a period in the history of the colony, when free emigrants

were entitled to an extent of land proportioned to the actual amount of their real property, lists of clerical heifers and clerical sheep were exhibited to the Government to so patriarchal an amount, that the question, as to what quantity of land the reverend applicant should in such cases be held entitled to, had actually to be referred by the Colonial Executive to Earl Bathurst, who accordingly gave orders that no clergyman's grant should in future exceed twelve hundred and eighty acres.

So precious an example in the *high places* of the colony was likely to exert a most pernicious influence on the whole clerical and missionary order throughout the territory. Even the followers of Wesley were not exempt from the foul contagion; and missionaries, forsooth, who had been sent forth with the prayers of the British public and the benedictions of the London Missionary Society, to convert the heathen in the numerous isles of the Pacific, were at length found *converted* themselves into stars of the fourth or fifth magnitude in the constellations Aries and Taurus, or, in other words, in the sheep and cattle market of New South Wales.

The influence exerted meanwhile on the laity of the colony was prejudicial in the extreme to the interests of genuine religion. The example daily before their eyes necessarily produced a universal lowering of the high standard of Christianity throughout the colony: it encouraged individuals to conjoin the desperate pursuit of gain with the profession of godliness, and enabled them notwithstanding to *purchase to themselves a high degree* in Christian congregations: it identified

the worship of God, in the estimation of the infidel and the scoffer, with the most servile idolatry of Mammon—the show of piety with the practice of extortion.

It is doubtless in consequence of the sort of influence I have just mentioned, that so much anxiety is uniformly evinced in the Word of God, that the ministers of religion should approve themselves disinterested men, and should *covet no man's silver, or gold, or apparel*; and the lower the standard of morals and religion has sunk in any country, I conceive there is just the more imperious necessity for disinterestedness on the part of the clergy. “*Is it a time,*” said the prophet Elisha to his servant Gehazi, when the greedy hireling had followed the chariot of the Syrian lord, and obtained a portion of his pelf, under pretence of receiving it for his master—“*Is it a time to receive money, and to receive garments, and olive-yards, and vineyards, and sheep, and oxen, and men-servants, and maid-servants? The leprosy, therefore, of Naaman shall cleave unto thee, and unto thy seed for ever.*” * The Church of God may be deserted for a season, and disesteemed, and trodden under foot of men; but, if her hands are undefiled with *the accursed thing*, and if her heart is still right with her Almighty Preserver, she will at length *look forth as the morning, fair as the moon, clear as the sun, and terrible as an army with banners*. On the other hand, if *the wedge of gold and the Babylonish garment* are found *hidden in the tents* of the clergy, as is too frequently the case in all communions both at home and abroad, the

* 2 Kings, v. 26.

armies of Israel will assuredly experience defeat and disaster from the Canaanites of the land.

But the greatest calamity that has hitherto befallen the Australian colonies, in regard to their moral and religious welfare, is the prevalence of a jealous, exclusive, and intolerant system of Episcopal domination. In what way the idea arose, I cannot tell; but till very recently it was uniformly taken for granted, as a thing which admitted of no question, by the Episcopal clergy and the military Governors of New South Wales and Van Dieman's Land, that the Episcopal Church, or Church of England, was the Established Church of these colonies, or the only Church (for that was the meaning of the phrase) which had a right to expect any thing from the Government, or which the Government ought in any way to patronize or encourage. So long as the Australian colonies were a mere jail for the reception of felons, it was doubtless just and right that the chaplains of that jail should be Episcopal chaplains exclusively; for upwards of nine-tenths of the convict-inhabitants of the jail were natives either of England or of Ireland, where Episcopacy reigns in all the pomp of her power, and in much of the loneliness of moral desolation. But when these colonies were at length thrown open to free emigrants, and when numerous respectable families and individuals settled in their fertile and extensive territories, it was speedily found that at least one half of the free emigrant Australian colonists were Scotsmen and Presbyterians.

So entire a change in the character and composition of the Australian population argued a necessity for

some corresponding change in the colonial ecclesiastical system. The Scottish nation, it is well known, rejected the yoke of Episcopacy, even after it had been violently forced upon it by the military executions and the *autos-da-fe* of Charles the Second; and if the moral and spiritual health of the Scottish people continued to improve in succeeding generations, they are still persuaded it was owing chiefly to that happy event. Was it just or right, therefore, that Scotsmen and Presbyterians, emigrating to recently established British colonies, in which the natives of any one of the three united kingdoms had an equal right with the natives of either of the other two to the same civil and religious immunities as they respectively enjoyed at home, should be subjected to a yoke which their forefathers had cast off and broken? Was it just or right, after the Government had held forth the same advantages to the Scottish emigrant in these colonies as were enjoyed by the English or the Irish, that the Scotsman alone should find himself deceived, in a matter which most intimately concerned his real welfare, after having traversed half the circumference of the globe?—that he alone (unfortunate, unconsecrated heretic!) should be held to belong to a proscribed church and a proscribed religion? Was it just or right, that the Scotsman alone should receive no benefit from the liberal provision which the Government professed to make for the religious instruction of the colonists and for the education of their youth, unless he renounced the faith of his forefathers, and suffered his child to be delivered over into the hands of proselytising Episcopalians?

Such, however, till very recently was the hard measure uniformly dealt out to Scotsmen and Presbyterians by the military governors, acting agreeably to the instigation and advice of the Episcopal authorities of New South Wales and Van Dieman's Land: for if some provision was eventually obtained from the colonial revenue for a few Presbyterian ministers of the Scottish Church in these colonies, it was obtained solely in consequence of express orders from home—after many hardships and humiliations, much suffering and sorrow. In almost every instance, it was *won*, as it were, like *the portion of Jacob from the Amorite, with the sword and with the bow*.

There had been no minister of the Church of Scotland in New South Wales previous to my arrival in the colony in the month of May, 1823. My own determination to proceed thither in that capacity—a determination which had arisen from a train of circumstances and events which it is unnecessary to enumerate—had been regarded by the Church to which I belong, and to which I trust I still cherish the fond affection of a dutiful son, with all that cold-blooded and unnatural indifference, which, I am truly sorry to acknowledge, the Church of Scotland long evinced in regard to the moral and religious welfare of the children of her people in the colonies.* Even my own personal friends among the Scottish clergy regarded the step I was about to take as a hair-brained and desperate adventure; and as none of the many religious societies of Scotland

* I am happy to state that a very great improvement has taken place in this respect within the last few years.

were likely to patronize any such undertaking, I was left to bear my own charges, and to find my way as I best could—a solitary, friendless wanderer—over the dark blue sea.

On my arrival in the colony, a congregation of Scots Presbyterians was speedily formed; and shortly after it was proposed to erect a Scots Church in Sydney, upwards of £700, as a commencement, being subscribed for the purpose in a few days. Contrary to my advice, the laymen, who had been appointed a committee of management to conduct the affair, determined to memorialize the Government for assistance from the Colonial Treasury previous to their commencing operations; as such assistance had been previously extended to the Roman Catholics of the colony. A respectful memorial was accordingly presented to the Governor, stating the progress which the Presbyterians had made, and soliciting assistance from the Colonial Treasury; His Excellency being at the same time privately informed that the Presbyterians wished to erect a plain, unassuming building, to cost about £2000. Sir Thomas Brisbane, who was then Governor of New South Wales, being himself a Scotsman and a Presbyterian, and a subscriber for the erection of the Scots Church, was of course well disposed to the measure; but he unfortunately suffered himself in that, as in many other instances, to be governed by the Colonial Secretary, who persuaded His Excellency, contrary to the uniform tenor of his own experience and observation, that Scots Presbyterians were a factious and dangerous people, whom it was impolitic to encourage. Sir

Thomas Brisbane was therefore induced to read publicly, subscribe, and publish in the colonial newspapers, a Reply to the Presbyterian memorial which the Colonial Secretary had concocted; and in which the Presbyterians were told, that it would be time for them to ask assistance from the Government when they showed they could conduct themselves as well as the Roman Catholics of the colony, who at that time were almost without exception either convicts or emancipated convicts. Nothing can more strongly indicate the state of vassalage to which Sir Thomas had allowed himself to be reduced at the period I refer to, than his signing a document conveying so offensive and so unmerited a censure on a number of his own countrymen. But the reasoning employed to induce him to put forth such a document was not less singular than the document itself. Certain of the civil and military officers of the colony, of whom a considerable number were Scotsmen, had been in the habit of attending divine service in the temporary Scots Church; and the circumstance was deemed unseemly in itself, and unfavourable to the maintenance of Episcopalian supremacy in His Majesty's colony of New South Wales.

I expected that the gentlemen who had presented the memorial, and who were all civil officers or merchants of the highest respectability in the colony, would address a firm but respectful remonstrance to the Governor on the subject of the imputations he had thrown on the Scottish Church and nation in his Reply; but no such document being forthcoming, I felt myself

called on to write to him myself, as a minister of the Scottish Church, and an individual of the Scottish nation. In the course of His Excellency's Reply to the Presbyterian Memorial, it had been stated that "Toleration was the glory of the Church of England; and, therefore, if Presbyterians did not approve of her ritual, she did not forbid them to worship in any other way which they might think more likely to glorify religion." In my letter to His Excellency, I observed, in reference to this statement, that "Toleration was not the glory of the Church of England, but of the British Constitution: Scotsmen were not, therefore, reduced to the necessity of receiving toleration as a boon from the Church of England: their civil and religious liberties were won for them by the swords of their forefathers; and they were a degenerate race, if in every situation they did not vindicate their right to both." The other parts of my letter were deemed sufficiently dutiful and respectful; but the passage I have just quoted was considered so offensive at Government-House, that Sir Thomas immediately despatched his aide-de-camp to the Bank of New South Wales, where the list of subscribers for the erection of the Scots Church was deposited, to erase his name, and those of all his family and suite from the list.

The Memorial and Reply, having been both published by authority in the colonial newspaper, were carried to England by a Scotch gentleman, who felt interested in the affair, and handed to the Scotch editor of the Morning Chronicle; in consequence of whose remarks on the whole transaction Earl Bathurst spontaneously

directed Sir Thomas Brisbane immediately to advance one-third of the whole estimated cost of the Scots Church from the colonial Treasury, and afterwards directed that a salary of £300 per annum should be paid to the minister; “regretting,” at the same time, “that His Excellency had put to their probation members of the Church of Scotland in the colony—the Established Church of one of the most enlightened and virtuous portions of the empire.”

In the mean time, however, Sir Thomas Brisbane had perceived his error in the steps he had taken towards the Presbyterians, and I am most happy to acknowledge, that he did every thing in his power to repair the injury it had occasioned: but it often happens, that the man who is all-powerful to do evil, is utterly powerless to do good, when that evil is once done. His Excellency’s procedure, in regard to the Presbyterian Memorial, entailed a debt on the Scots Church, the very interest of which has regularly cost myself individually £100 a year.

The circumstances attending the settlement of the Scots Church in Sydney, and the state of another body of Presbyterians in the colony, in regard to the ordinances of religion, rendered it expedient for me to proceed to England in the month of August, 1824. I returned again to the colony in January, 1826. During my absence, the Rev. Thomas Hobbes Scott, having been appointed by His Majesty’s Government arch-deacon of New South Wales—an office which was then instituted for the first time—with a salary of £2000 a year, had arrived in the territory. Mr. Scott was by

no means a young man, and he had passed through all the previous scenes of his life as a layman. It was commonly reported in the colony, that he had originally been in business in the city of London, and that he had afterwards been attached to the British Consulate in one of the Italian ports of the Mediterranean: he had made his *début*, however, in the colony several years before, in the subordinate and lay capacity of clerk or secretary to Mr. Commissioner Bigge—a gentleman, who had been deputed by the Home Government to inquire into the circumstances of the colony during the government of Major-General Macquarie; of which a Report was subsequently presented to the House of Commons. I presume it was in consequence of that Report that the Government were induced to appoint an archdeacon for the Australian colonies; and, as Mr. Scott happened very opportunely to enter into holy orders while the matter was under consideration, he received the appointment.

Mr. Scott's private character and general education were unexceptionable; but his theological attainments were necessarily extremely meagre; and his previous manner of life, and especially the circumstance of his having already appeared in the colony in so different a capacity, rendered his appointment injudicious in the highest degree, and betrayed a lamentable want of consideration for the real welfare of the country. Of the doctrines and practice which constitute what is styled by the Christian world *evangelical religion*, Mr. Scott had evidently no clear idea. Viewing religion as a matter of state policy, and the colonial Episcopal clergy

as a chartered body possessing the exclusive monopoly of intermeddling with its concerns, his maxim evidently was, "Let Episcopacy reign alone in the Australian colonies, and let no Presbyterian dog be permitted to bark within her ample domain."

During my absence in England, an Act had been passed by the Legislative Council of the colony, of which the Archdeacon was an active and influential member, for the due registration of all births, marriages, and burials, within the territory. By this Act it was enacted, that any minister of religion solemnizing a baptism, marriage, or burial, in the colony, should transmit a certificate thereof to the *minister of the parish* in which the said service was performed, within four days after, under pain of a fine of four Spanish dollars; the said fine to be appropriated agreeably to the provisions of an Act for the suppression of *rogues and vagabonds*! It was impossible to mistake the meaning of this precious morsel of colonial, or rather of archidiaconal, legislation, or its particular reference to my own case, and to that of all other ministers of the Presbyterian Church, who might afterwards be settled in either colony: but lest I should by any means be able to plead ignorance on the subject, the Episcopal minister of the parish, in which the Scots Church in Sydney is situated, called at my house, I presume by the Archdeacon's order, the instant he heard I had returned to the colony, with a blank register containing forms of certificates, and having the *four-dollar or rogues-and-vagabonds'* Act printed in large characters on its first page. I confess it would

have somewhat aggravated the humiliation to which it was thus proposed to subject the ministers of the Church of Scotland in both colonies, to have been obliged to send our certificates (as would have been the case in certain instances in both settlements, which it is unnecessary to particularise) to men who had never been within the walls of a college: for with all her pretensions to exclusive learning and exclusive education, Episcopacy, like an ancient king of Israel, not unfrequently makes her *priests of the high places* in the colonies, of those *who are not sons of Levi* in the academical sense of the phrase. I examined the Act carefully, however, and finding, to use a maritime expression, that it was by no means *water-tight*, although it had been evidently *tarred and pitched* for the purpose by a high colonial functionary, I resolved to send no certificates, and to leave those whom it concerned to sue for the four dollars, to be appropriated for the suppression of rogues and vagabonds, whenever they pleased. Nine months were suffered to elapse before I was informed against to the colonial government; but, on representing to the latter that the Act had neglected to specify the particular standing of a minister of the Church of Scotland in the colony, and had not explicitly declared that he was not to be considered *one of the ministers of the parish* in which he officiated, it was arranged that the Scotch certificates should be forwarded to the Colonial Secretary, and not to the Colonial Episcopacy.

During my first residence in the colony, I had solemnized a marriage agreeably to the forms of the

Church of Scotland, in the case of a Scotch officer, of the East India Company's service, who wished to be married according to the customs of his nation. Some obstacles had been thrown in the way in the first instance ; but, on representing what I conceived to be the state of the law on the subject to the Attorney-General, and obtaining the written opinion of that officer, that there was no law to prevent the solemnization of a marriage in the manner proposed, the Governor's license was given forthwith. After the Archdeacon's arrival, however, the Attorney-General, who was by no means a man of strong mind, retracted his opinion ; and the Governor's license, in the case of another Scotch officer, who also wished to be married agreeably to the Presbyterian form, was accordingly refused. I did not consider the right to solemnize marriage of any importance in a religious point of view ; at the same time I felt myself called on, both as a Scotsman and as a minister of the Scottish Church, not to sit silent under its invasion, as the issue of my own case would doubtless establish a precedent for both colonies : I accordingly inserted an advertisement in the Sydney Gazette, intimating that I would solemnize marriage *by banns* in any case in which either of the parties was a native of Scotland, or a Presbyterian, or a member of my own congregation, and calling upon all persons whom it concerned, to produce any law or statute prohibiting such marriages, or declaring them illegal. I accordingly solemnized various marriages by banns for a year or two after ; and the privilege of marrying by the Governor's license—a practice peculiar to the colonies, but now dis-

continued in New South Wales—was in due time voluntarily conceded. The circumstance, however, of my having recourse to an advertisement in the newspapers, to assert a right which had thus been unjustly invaded, was regarded in certain quarters as a manifestation of a bad spirit. Of course I was to regard the spirit of intolerant usurpation, which had forced me to adopt such an expedient, as the spirit of brotherly kindness and Christian charity: truly it was that charity, which *seeketh not her own* merely, but her neighbour's also.*

In the years 1823 and 1824 I performed divine service repeatedly, and on one occasion dispensed the sacrament of the eucharist, at the Presbyterian settlement of Portland Head on the banks of the Hawkesbury. On leaving the colony for England, the people of that settlement authorised me to procure them a minister, pledging themselves to contribute to a certain amount for his maintenance, and soliciting at the same time, as they were neither numerous nor wealthy, assistance from the Christian public in the mother country. I obtained about £250 for the purpose in the west of Scotland; and the Rev. J. M'Garvie, A. M. a Licentiate of the Church of Scotland, having been ordained as the minister of Portland Head, there remained about £200 after defraying the expense of his passage out to the colony. This amount was appropriated in part payment of a small farm and cottage on the Hawkesbury, which were purchased as a glebe and residence for the minister. On Mr. M'Garvie's arrival in the district, the Presbyterians of Portland Head

addressed a memorial to the Governor, requesting a salary of not more than £100 per annum for his maintenance, from the Colonial Treasury, and pledging themselves to pay an equal amount by private subscription. In a letter which I wrote along with the memorial to His Excellency General Darling, I gave a short account of the origin and history of the settlement, stating that it had been formed by free emigrant Presbyterians from the south of Scotland in the year 1802; that these settlers had built a church—the first that had ever been built in the colony by private subscription—at an expense of upwards of £400, in the year 1809; and that the ordinances of religion had been regularly dispensed among them, by one of their number acting as a voluntary catechist, from the time of their arrival in the colony. I was greatly mortified, however, to receive a letter from the Colonial Secretary in reply, stating that His Excellency could not comply with the prayer of the memorial; expressing his satisfaction, however, that the Presbyterians of Portland Head were able to do so much for their minister, *and hoping they would soon be able to do whatever more was requisite for his maintenance.* In short, it was insult added to injury.

I had reason to believe at the time that if Mr. M'Garvie were made acquainted with the tenor of the Governor's reply, he would leave the colony and return to Scotland; in which case all attempts to procure other Presbyterian ministers for other Presbyterian congregations in the territory would probably have been vain: in fact, I have reason to believe that this

consummation was both desired and anticipated. Without apprising Mr. M'G., therefore, of the tenor of the Governor's answer, I wrote His Excellency, requesting that he would transmit the memorial, along with my letter, to the Right Honourable the Secretary of State for the Colonies: the memorial was accordingly forwarded to England as a matter of course; and Lord Viscount Goderich, who was then Secretary of State for the Colonies, was pleased to order that a salary of £100 per annum should be paid to the minister of Portland Head from the colonial revenue.

Mr. M'Garvie being a man of a benevolent disposition, as well as of superior literary acquirements, and the district of the Hawkesbury, which is one of the oldest settlements in the territory, abounding in reputable natives of the colony, many of whom possessed small herds of cattle, and were naturally desirous of obtaining small grants of land from the Government; he was frequently applied to by such young men to write memorials to the Governor on their behalf, stating their circumstances, and soliciting grants of land to enable them to settle on their own account in the interior. Indeed, although there were two Episcopal chaplains stationed in the immediate neighbourhood, by far the greater part of this species of work for the whole district of the Hawkesbury devolved upon Mr. M'Garvie. This was observed by the Government; and it could not fail to be observed also, that the *right action* was done by the *wrong man*. Mr. M'Garvie accordingly received a letter from the Colonial Secretary, desiring to be informed, by direction of the Governor, whether he re-

ceived any thing for the numerous memorials he wrote. Mr. M'Garvie was naturally somewhat indignant at the injurious insinuation ; but he merely replied, that " he had never received as much as the value of the paper on which the memorials were written." His Excellency, it seems, was mistaken, in supposing that my friend and brother was like the mercenary hirelings that abound in all professions in the colonies, who will neither open their mouths nor touch their pens till their pockets are crammed.

After my return to the colony in the year 1826, I ascertained, on repeatedly visiting the settlements of Hunter's River and Bathurst in the discharge of clerical duty, that the Presbyterian settlers in these districts were desirous of obtaining ministers of their own communion, and were willing to contribute for their maintenance to the amount of £100 per annum. I accordingly addressed a memorial on the subject to General Darling, soliciting that His Excellency would recommend to the Secretary of State to allow salaries of £100 per annum for ministers of the church of Scotland for the districts of Bathurst and Hunter's River respectively, provided the Presbyterian inhabitants of these districts should themselves contribute a similar amount ; and representing, that as upwards of one half of the land in both districts had been granted to Scotsmen and Presbyterians, there was reason to believe that the settlement of Presbyterian ministers, to itinerate from farm to farm in these parts of the territory, would bring religious instruction into much more general contact with their convict-population, as each

of the Presbyterian families, who were desirous of having ministers of their own communion settled among them, had numerous convict-servants. His Excellency replied, that he would order the resident officers to furnish him with information on the subject; and orders were accordingly transmitted to the military commandants of Bathurst and Hunter's River, to ascertain the number of Presbyterians in these districts, (without reference to the circumstance of their being masters or servants,) in comparison with that of the whole population. This delicate task was entrusted by the military commandants to convict-constables, who were accordingly sent round to make the requisite inquiries at each farm in the district; but as every person who answered the constable that he was a Protestant was set down as an Episcopalian, (the words Protestant and Episcopalian being held synonymous by the lower English;) and as there were Presbyterians who actually disavowed their connexion with the Scottish Church, from the fear of giving offence, or from an indistinct persuasion that favours were more easily obtainable from the colonial government by proselytes to Episcopacy than by Presbyterians; and as the circumstance to which I had especially requested His Excellency's attention, viz. that more than one half of the land was in the hands of Scotsmen and Presbyterians,—who of course were the influential and the permanent portion of the population,—was kept entirely out of view; it was found as a matter of course that the number of Presbyterians at Bathurst and Hunter's River was insufficient to warrant His Excellency's compli-

ance with the prayer of my memorial.* But the Archdeacon, who, I understood indirectly from the Governor himself, had been consulted in the matter, was too

* It was stated some time ago in a semi-official paper published in London, for the purpose of accounting for the large expenditure of public money by the Episcopal Church in New South Wales during the incumbency of Archdeacon Scott, that there were thirty thousand Episcopalians in that colony, out of a population which the writer supposed under forty thousand: the reader must be informed, however, that this respectable but imaginary muster-roll included all persons who went to no church, and were avowedly of no religion whatever. "Of what religion are you?" said the zealous Episcopalian officer, who was sent to muster a convict-ship on her arrival in New South Wales during the government of General Darling. "I am of no religion," replied the convict he addressed—an impudent fellow, doubtless, who was doubtless telling the truth. "Of what church are you?" rejoined the officer, supposing perhaps that his question had been misunderstood, or perhaps giving the convict to understand that it was not absolutely necessary that he should be of any religion in order to his belonging to a particular church. "I am of no church," responded the convict. "He goes to church," said the officer, addressing himself to the clerk; and the convict was accordingly written down an Episcopalian: in short, it was evident he was neither a Presbyterian nor a Roman Catholic, and the inference deduced was therefore fair enough. If the Colonial Episcopal Church had really felt a more special interest in such reprobates than other communions in the colony, it would, doubtless, have been greatly to her credit to have taken them so benevolently under her wing. But, unfortunately, this is not the secret of the large addition they made to her muster-roll; for in the sequel of the paper I allude to, it was shown that £20,000 a year—the sum which the Episcopal Church and schools cost the colony during the incumbency of Archdeacon Scott—amounted only to 15s. a head for the thirty thousand Episcopalians of the colony. On such a principle of calculation, it was no wonder that the Presbyterians of the colony should have been represented, as they actually were, as an insignificant handful; for every person of that communion who could by any means be ticketed as an Episcopalian, not only served to strengthen the Archdeacon's argument against the necessity for Presbyterian ministers, but entitled him to ask other 15s. for the Episcopal Church.

tender-hearted a nursing-father of the Church to allow the Scots Presbyterian settlers of so extensive a district as Hunter's River to remain destitute of the ordinances of religion ; and he accordingly sent them a half-pay lieutenant in the navy—a very good sort of man, doubtless, on the quarter-deck of a gun-brig or sloop-of-war—to read prayers as an Episcopalian catechist in the district, and to receive for so doing more than double the emolument that was asked for a regularly-ordained minister of the Church of Scotland. In the year 1830, I felt myself called on, with a view to advance the interests of religion and education throughout the colonial territory, to proceed a second time to England ; and on laying the case of Bathurst and Hunter's River before the Right Honourable Lord Viscount Goderich, with a simple recommendation from certain magistrates of the territory, his Lordship was pleased to order a salary of £100 per annum to a minister of the Church of Scotland for each of these districts. Two ministers were accordingly appointed, and arrived in the colony on board the vessel I had engaged to carry out the Scotch mechanics in the year 1831.

A state of things exactly similar to the one I have thus described has also prevailed till very recently in the colony of Van Dieman's Land : indeed, the thoroughly exclusive, intolerant, and tyrannical spirit of Episcopal domination has exhibited itself in a greater or less degree, according to the circumstances of each particular case, in all the British colonies. Witness the case of the Scots Presbyterians of New York,

when that province was a British colony, a century ago :—

“ The Presbyterians increasing after Lord Cornbury’s return to England,” (I quote from Smith’s History of New York, page 191,) “ called Mr. Anderson, a Scotch minister, to the pastoral charge of their congregation ; and Dr. John Nicol, Patrick M’Knight, Gilbert Livingston, and Thomas Smith, purchased a piece of ground, and founded a church in 1719. Two years afterwards, they petitioned Colonel Schuyler, who had then the chief command, for a charter of incorporation, to secure their estate for religious worship, upon the plan of the Church in North Britain ; but were disappointed in their expectations *through the opposition of the Episcopal party*. They shortly after renewed their request to Governor Burnet, who referred the petition to his Council. *The Episcopalians again violently opposed the grant*, and the Governor in 1724 wrote upon the subject to the Lords of Trade for their direction. Counsellor West, who was then consulted, gave his opinion in these words :—‘ Upon consideration of the several acts of Uniformity that have passed in Great Britain, I am of opinion that they do not extend to New York, and consequently an act of toleration is of no use in that province ; and therefore, as there is no provincial act for uniformity, according to the Church of England, I am of opinion, that by law such patent of incorporation may be granted as by the petition is desired.—RICHARD WEST, 20th August, 1724.’ After several years’ solicitation for a charter in vain, and fearful that those who obstructed such a reasonable request would watch an opportunity to give them a more effectual wound ; those among the Presbyterians who were invested with the fee-simple of the church and ground, conveyed it, on the 16th March, 1730, to the General Assembly of the Church of Scotland,” as the only means of preserving the property in the hands and for the use of the members of that communion in the city of New York.

It was, doubtless, the repetition of such acts of intolerance and oppression as the one that gave rise to so singular a proceeding—it was doubtless the repetition of such acts of intolerance and oppression on the part of a domineering faction in the colonies, supported and abetted by the Government at home—that served gra-

dually to wean the affections of the American people from their allegiance to their rightful sovereign, and that subsequently gave the American revolution that moral and resistless force, that enabled it to wrest the fairest provinces from the British empire, and to pluck the brightest jewel from the British Crown. The Presbyterians of America are now happily delivered from Episcopal domination; and their two thousand flourishing congregations, whose ministers are all supported by the voluntary contributions of a Christian people, present an argument that cannot easily be got over by those who are perpetually telling us, that Christianity, in this the age of her decrepitude, forsooth, can no longer stand erect in the world, and must therefore be permitted to lean the whole weight of her rickety and consumptive frame on the crutch of the civil power!

The prevalence of Episcopal domination in the British colonies has had this unfortunate and evil effect; it has, in great measure, weaned the higher classes of Scotsmen in the colonies, and especially Scotsmen holding appointments under the Government, from the hallowed institutions of their mother Church and their father-land. If the question, which this state of things suggests, were merely a question as to whether men ought to use forms of prayer or to pray extempore, or whether there ought to be any other species of precedence among the ministers of religion, than what is uniformly and willingly conceded, even by Presbyterians, to eminent services and eminent talents, I should esteem it a matter of comparatively little

moment which side of the question individuals of my own countrymen were pleased to take ; for though a Presbyterian, I trust, in the highest sense of the word, I am not so in that sense of it which holds either moderate Episcopacy or Independency sinful or unlawful. But the question is one of a far different description. It is, whether it is the part of a Christian man at all to renounce the faith of his forefathers, (I use the phrase in its wider acceptation,) without being able to assign a better reason for such renunciation, than that the thing called religion, which is taken up instead of it, is the religion of the dominant and influential party, the religion of all whose incomes are upwards of five hundred a year? Is this, I ask, to be esteemed a valid or sufficient reason for renouncing a faith which a thousand martyrs died to defend and to perpetuate, and the devoted attachment of whose children to which has raised their nation to a higher pitch of intellectual and moral and religious eminence, than, perhaps, any other European nation has ever attained? Are the men, who thus sell their birthright for a mess of pottage, to be esteemed the worthy descendants of those patriotic men who purchased the civil and religious liberties of Scotland with the best blood in their veins? The Presbyterian who becomes an Episcopalian from conscientious motives, and who lives and dies a worthy and pious Episcopalian, I honour, because I see he possesses a conscience, though, it may be, an ill-informed one ; but can Charity herself suppose that such men as I allude to have a conscience at all? What indeed can be expected, either worthy or honour-

able, of the men, who, when their mother Church—with whose milk they were nursed as babes, and with whose strong meat they were fed till they reached the vigour of manhood—follows them in the warmth of her maternal affection to the distant land of their sojourning, cast upon her a cold and withering look, saying, “Begone, you old, poverty-struck beldam; don’t you see we have taken to live with this *strange woman* from Babylon?” What, I say, can be expected of such men, but that they will approve themselves unworthy sons of their mother—degenerate scions of a noble vine? It has accordingly been observed again and again, that of all the possible personifications of absolute servility, the Episcopalianized Scots Presbyterian is, in general, the most complete in all his members. Indeed, I have reason to believe, that if His Majesty were to haul down the cross, and to hoist the crescent, provided the absolute disgrace of the thing could only be got over in the eyes of the public, the majority of Episcopalianized Scots Presbyterians, holding appointments under the Government in the colonies, would be the first to shout with the Grand Mufti of St. James’s, “*There is no God but Allah, and Mahomet is his Prophet!*”

It has often appeared to me, that the moral and religious standing of the Scottish nation in reference to the colonial territories of the British empire, very much resembles that of the Jewish people in reference to the heathen nations of the ancient world. Subjected in their native land to a species of intellectual, and moral, and religious training, which perhaps scarcely any other European nation has so long enjoyed, the

people of Scotland have long been extensively imbued with a spirit of emigration, which has scattered them in thousands over the whole face of the habitable globe, and filled the British colonies in particular with a Scottish population. This wide dispersion of the Scottish people, we may rest assured, is no accident in the grand scheme of Providence, any more than the wide dispersion of the ancient Jews, after having been subjected to a similar training in their own country, was either unforeseen or accidental. It was doubtless part and portion of a high and benevolent design for advancing the intellectual, the moral, and the religious welfare of the British colonies, of the British empire, of the world at large; and there was thus placed in the hands of the Scottish clergy a lever which the sage of Syracuse could only wish for—a lever of mightier power to elevate a large portion of the world, than any equal number of ministers were ever called to wield since the apostolic age. Will it be believed, however, that the Scottish clergy have hitherto remained insensible to the moral and religious advantages of this high position, which the Governor among the nations had assigned them on the grand arena of the world? Will it be believed, that although Scotsmen without number have annually gone forth to the British colonies for a century past, there has never been a single effort made on behalf of these colonies by the General Assembly of the Church of Scotland, during that long period, worth recording in a stray paragraph of a country newspaper?

Had the Scottish clergy plied that moral machinery, which the Presbyterian Church is so admirably adapted

for bringing into play, on the great field of the world—had they followed the numerous children of their people, who have gone forth to the colonies, with some regular and systematic provision for their spiritual welfare—how many a Scotsman, whose whole life has been spent in diffusing around him an atmosphere of death in the land of his sojourning, might not have proved a *spirit of health* to society, instead of being a very incarnation of some *goblin damned*! How many a Scottish family in the colonies might not have been preserved from irreligion, from infidelity, from immorality, from ruin!

But where were the means? it may be asked. I ask in reply, how have thousands and tens of thousands been raised in Scotland, for the last forty years, to fit out and to maintain beyond seas whomsoever the Dissenting Ministers of London chose to ordain as missionaries to the heathen? God forbid that I should ever whisper a syllable against missions to the heathen! But I have seen too many missionaries, not to have seen more than I choose to mention, whom men possessed of the least discernment would never have presumed to send forth on such an errand! The colonies, however, were the first field to be occupied; and if that field had been properly occupied, it would have afforded much assistance to missions to the heathen, instead of proving a fruitful source of disappointment and counteraction to Christian missionaries.

Had there been a standing committee of the Church of Scotland (as there ought uniformly to have been) to watch over the spiritual welfare of Scotsmen in the colonies, and had that committee sent out two ministers

of the requisite qualifications to each of the Australian colonies about fifteen years ago*—ensuring them, from funds collected in the way I have suggested, a moderate provision till they could establish themselves in the colonies, endeavouring in the mean time to interest the Government on their behalf, and following up every important suggestion they might see fit to make for the advancement of the spiritual welfare of their countrymen in these colonies—colonial Episcopacy would all along have been kept in proper and salutary check; an efficient system of religious instruction would have been provided for all the Scotch inhabitants of both colonies with the utmost facility, and an incalculable amount of good would have been effected for that highly influential portion of the colonial population, at a comparatively insignificant expense.

From the entire want of any such machinery in the Church of Scotland, and from the burden of providing for the spiritual welfare of Scotsmen in the Australian colonies being consequently made to rest on the chance efforts of individuals—of individuals struggling on the one hand with an overwhelming Episcopacy, and unsupported on the other by those whose bounden duty it was to have upheld them—I have been reduced to the necessity of making no fewer than four voyages round the world during the last fourteen years—living in all

* The divine author of Christianity always sent out his disciples by twos, and the apostles seem to have generally followed his example. We always hear of two of the apostolic Presbytery travelling together; as for instance, Peter and John, Paul and Barnabas, Paul and Silas, Barnabas and Mark. The propriety and the wisdom of such an arrangement are sufficiently obvious.

for three years and a half of that period out of sight of land, at one time in intense cold among the icebergs to the southward and westward of Cape Horn, at another in intense heat beneath a vertical sun ; traversing on an average about a thousand miles of ocean every month for ten successive years, and paying about £600 of passage-money for sea-voyages from my own private resources, besides heavy and almost ruinous expenses on land.

But the long-continued indifference of the General Assembly of the Church of Scotland to the spiritual welfare of Scotsmen in the colonies has been productive of a still worse effect than the one I have just mentioned. It has induced such a state of feeling, in regard to the colonies, on the part of the Scottish clergy in general, that it is almost held tantamount to a complete renunciation of caste for a licentiate of the Scottish Church to go to the colonies at all ; insomuch that his doing the very thing which his Lord and Master especially commands—his going forth on the forlorn hope of the Christian army, with the everlasting Gospel on his lips, and the sword of the Spirit in his hands—is tacitly interpreted as a public confession of his being *a weak brother who has no prospects at home*. For my own part, I confess I had much more difficulty in getting over this feeling—so humiliating to the native intellectual pride of the Scottish character—than I had in resolving to bid adieu, in all likelihood for ever, to my native land.

It is necessary, however, to apprise the reader, that this lamentable indifference of the Scottish Church

towards Scotsmen in the colonies, is altogether foreign to the native genius and character of the Presbyterian Church. In the reign of William and Mary, when a number of Scottish emigrants left their native country to settle at the Isthmus of Darien, the General Assembly of the Church of Scotland—which at that period consisted entirely of ministers who had been chosen by the people—took so warm an interest in the spiritual welfare of these emigrants, that they actually removed two ordained ministers from their parishes in Scotland, and sent them along with them. But the General Assembly of a century past, consisting in great measure of ministers who have been thrust upon the people by the system of patronage—have seen hundreds of thousands of Scotsmen leave their native country for the colonies, without ever inquiring whither they went, or what was likely to become of them in the distant lands of their adoption.

This remarkable change in the character and conduct of the Scottish Church has arisen entirely out of the law of patronage—that flagitious enactment of the Tory Government of Queen Anne, by which the Scottish people were robbed of their right to elect their own pastors, and the appointment of the Scottish clergy transferred in great measure to the Scottish aristocracy. Under the operation of so iniquitous a system, the Presbyterians of the Covenant—those patriots indeed who held not their lives dear that they might promote the best interests of their country—gradually disappeared; and a race of gentlemen's gentlemen—the mere sycophants and dependents of the great—occu-

pied a great majority of the parishes of Scotland, and *reigned in their stead*. And was it wonderful, that velvet-tongued theologians like these should forget the art of speaking for their countrymen in the colonies? Was it wonderful, that the herd of *lean cattle*, that were thus driven in by the Scottish nobility to fatten on the green pastures of their national Church, should have no sympathy for those who were dwelling in the dry and parched lands where there was no water? Educated in the Tory College of Subserviency, many of their number had taken the degree of Destitute of Natural Affection; and their reckless indifference to the best interests of their countrymen abroad was in perfect keeping with the recklessness with which they sometimes trampled on the best feelings of their countrymen at home.*

The period of reaction, however, has at length arrived; and that reaction we may rest assured will be powerful and resistless, just in proportion to the length, and breadth, and depth of the injury that has hitherto been so patiently sustained by a long-abused nation both at home and abroad: for it is not the mere repeal of the law of patronage in Scotland, or the reform of a few flagrant abuses in the Church of England, that will now stem the flood-tide of popular opinion that is evi-

* It is gratifying to observe, that the Church of Scotland has been reforming itself during the last three or four years. The first step in this salutary process was taken by giving the Christian people a *veto* on the appointment of all ministers of that Church. The effect of this reform has been already apparent in various respects, especially in the reviving of the ancient discipline on the one hand, and of the ancient sympathy for Scotsmen in the colonies on the other.

dently setting so strongly and so resistlessly against the religious establishments of both divisions of the island. In that prominent sign of the times men of understanding cannot fail to discern a judicial infliction—the prelude of some *overflowing scourge*, that will ere long pass through the land, and leave not one stone of these goodly fabrics upon another. There are men, it is true, who think they can still arrest the progress of public opinion on this and on other kindred subjects: as well might the Swiss peasant think of chaining the enormous avalanche, that has just broken adrift from its moorings on the summit of some lofty Alp, and is rolling down from precipice to precipice, and from rock to rock, to spread dreariness and desolation over his happy valley. The revolutionary clock has struck one, to indicate that the day of *overturning* has already commenced; and well may the mitred Episcopalian priest and the Presbyterian Levite feel alarmed together at its fearfully ominous and volcanic sound!

As there was nothing to counteract the efforts of Episcopacy to establish for itself an exclusive predominance in the Australian colonies, ways and means were at length devised by certain zealots for that system, to exhibit it to the colonists in an attitude of power and glory not unworthy of the era of Pope Hildebrand. For this purpose, a Church and School Corporation was established by royal charter in the year 1825, by which the whole care of religion and education in the colony of New South Wales was assigned to the Episcopalian clergy, to whom a seventh of the whole continent, or a piece of land as large as the island of Great Britain,

was liberally allotted as a suitable reward for their trouble; and as it was wisely considered that the land was of little value so long as it remained in a waste state, the privileged clergy were very properly allowed in the mean time to extract whatever they might think necessary from the public purse, till the increase of population should render their estate valuable in proportion to their deserts. The charter provided for the future erection of a bishopric in the colony, and declared expressly that the bishop was to be paid first; no archdeacon to receive any thing till his lordship was satisfied. The archdeacons were to follow next, and whatever they left was to be divided among the rectors; the working clergy or curates to receive nothing till the latter had got enough.

The Episcopal Church Establishment of the colony consists at present of a bishop, eighteen chaplains, and three catechists; the Episcopal School Establishment embracing a male and a female orphan school—each under the superintendence of a half-pay lieutenant in the navy—and about thirty primary schools of a character exceedingly inferior to that of the parish schools of Scotland. Will it be believed, however, that so long ago as the year 1828, when there were neither so many chaplains nor so many schools as there are at present by a very considerable number, the cost of these petty establishments should have amounted in a single year to upwards of £22,000? The salaries of the chaplains varied, at the period I allude to, from £250 to £400 per annum; but the amount of these salaries was no cue to the real emoluments of the incumbent, or to the total charge for

his maintenance on the revenue of the colony. Every expedient was adopted to raise the wind, or, in other words, to increase the income; and, as the Corporation consisted chiefly of clergymen, one voted for another, and the demands on the treasury were consequently exorbitant enough. For instance, the two Episcopal chaplains of Sydney, both of whom had only received that species of ordination which is given *for foreign parts*, had each a fixed salary, of the amount specified, (viz. about £300 or £350 per ann.) together with a free house, which in Sydney is worth about £100 a year; but as the one performed divine service at the jail, and the other in the hulk, and as there are no *free-will offerings at the door of the Colonial Episcopal Tabernacle*, it was doubtless quite reasonable to allow £50 additional to each of them for these *extra* duties.* They had each grants of land, or farms of their own, which were not suffered to lie waste, in the interior. It was not likely, therefore, that the few acres of sterile land, which they held as glebes near the town of Sydney, could be of much use to them as cattle-runs: they were therefore the more easily induced to surrender their glebes to the Corporation, and they accordingly received a compensation of £100 a year each in lieu of them. In the mean time, every marriage, every burial had to be paid for, with *a regular and accustomed fee*. But Episcopal covetousness (I must use the right word,

* There used also to be something got for performing divine service to the military in Sydney; but as that item is charged to the account of the mother country, it is not included in the annual returns of the appropriation of the colonial revenue.

however offensive) was not yet satisfied ; and the one chaplain accordingly presented to the Corporation, during one of the years of drought, an account of nearly £700 for additional perquisites, to which it appears he was fairly entitled, but which it seems the good man had never got ; and the other a similar account of about £500 ; and the Corporation, of course, voting both accounts correct, they were duly paid. Yes, these accounts were both presented and paid, at a time when many respectable families in the colony were reduced to absolute poverty through the visitation of God and their own unfortunate speculations in sheep and cattle, and when whole districts of inhabited country within the territory were left without the shadow of provision for the dispensation of the ordinances of religion !

But, even at the very time when this lavish and unseemly expenditure of the public money was going on, so jealous was colonial Episcopacy of her power, or rather so unwilling that men who were not entirely of her own making should come within her borders *to spy out the nakedness of the land*, that before I could obtain *a single* hundred a year for a regularly educated and ordained Scotch clergyman, to dispense the ordinances of religion among his own countrymen in an extensive district of country in the territory, I had to leave my own congregation for a twelvemonth, to double Cape Horn, to circumnavigate the globe ! I ask, therefore, is there any man of common candour who will not acknowledge, that, *in such circumstances*, a colonial church establishment is a positive, an enormous, an intolerable evil ?

The mere management of the Church and School Corporation, independently altogether of the salaries of clergymen and schoolmasters, cost, for some time after the institution of that body, upwards of £2000 a year. I confess, I am utterly unable to account for the disappearance of so much public money, by any process of compound addition exemplified in the common systems of Scotch ecclesiastical arithmetic ; but I admit that there is an essential vulgarity in Presbyterianism on the important subject of expense, which perhaps unfits a man for seeing how easily the public money can be spent unprofitably by those who have the exclusive right and privilege of doing so. Compared with this expenditure, the corresponding expenditure of the whole Church of Scotland appears paltry and insignificant. The clerkship of the General Assembly of the Scottish Church, for example—a body having the superintendence of more than a thousand ministers, with all their churches and chapels, four universities, and upwards of a thousand parochial schoolmasters and schools—costs only £200 per annum : but the clerkship of the Church and School Corporation of New South Wales—a body having the superintendence of only twelve or fifteen ministers, and about double the number of schoolmasters—required an establishment of no fewer than four lay-clerks ; of whom the first—who of course was the son of a member of the Corporation, who had, previously to the institution of that body, had merely half-a-crown a day as a supernumerary clerk in the Commissariat Office—had a salary allowed him of £400

a year, which, if I have not been greatly misinformed, was to have been raised gradually to £700.*

The necessary and direct tendency of the system and practice, of which I have thus given the reader a slight sketch, was to lower the standard of religion throughout the colony, by identifying the ministers of religion, in the estimation of the colonial public, with a regularly-organized system of grasping covetousness.

In fact, the prevalence of the system and practice I have been describing, gave extensive currency and credit in the Australian colonies to the scandalous and delusive idea, that religion is mere priestcraft, and that the ministers of religion are mere mercenary hirelings,

* All that the Presbyterians of New South Wales had got for their ministers from the Government, at the time when they had the honour of receiving an intimation from the Right Honourable Sir George Murray that they had got enough, was £400 per annum. The colonial Episcopacy was receiving at that very time £18,000 per annum. The amount allotted to the Presbyterian clergy, in the year 1834, was £600 per annum: the grant to the Episcopal clergy, for that year, was £18,129. 10s. viz. £11,542. 10s. for the clergy exclusively, and £6587 for Episcopal schools. The very musicians, door-keepers, and other menials of the Episcopal churches of the colony had actually £190 more of the public money divided among them every year, than the whole sum allotted to all the Presbyterian clergy of the territory. The whole cost of the Episcopal establishment of the colony during the first five years of General Darling's government, amounted, independently of the revenue accruing to the Corporation from the sale and rent of church lands, as well as of certain items paid from the Parliamentary grant for the support of the colonial Episcopacy during the year 1826, to the sum of £91,569. 17s. 4d. The Presbyterian clergy of the colony cost the Government during the same period £1966. 6s. 8d., or, including the items above mentioned, *less than one-fiftieth part of the cost of the Colonial Episcopal Church and School Establishment.*

whose whole and sole object is gain. I have heard this idea broached too frequently myself, and in too great a variety of forms, by men of some consequence in the colony, not to know that it is perfectly consistent with a decent conformity to the established observances of a Government church. In short, a great proportion of the upper and influential classes of society in both colonies have undoubtedly reached that point in theology, which admits that religion is a very good thing after all for the lower classes of society: to assert any thing farther, however, would be somewhat hazardous.

Monopolies in religion, as well as in any thing else, are uniformly productive of intolerance and oppression on the one hand, and of heartburnings and jealousies on the other. But the greatest evil that has hitherto resulted from the prevalence of Episcopal domination in New South Wales, is, that, in accordance with that principle of action and reaction which is so frequently exemplified in the present age, it has roused a spirit in the colony which it will never be able to lay, and has been the means of saddling the country, for all time coming, with a powerful Roman Catholic establishment: for, regarding the formation and consolidation of such an establishment in the Australian territory as a great evil most deeply to be deplored, I have nevertheless no hesitation in expressing it as my fixed opinion, that the existence of that establishment, in its present prominence and strength, has been owing in great measure to the jealousy and the envy which were naturally, and I will add justly, excited among the Roman Catholics of the colony, at the overgrown dimensions and the lordly

demeanour of colonial Episcopacy, during the government of General Darling.

It was when things were in such a state as I have described, at the close of General Darling's administration, that Major-General Sir Richard Bourke arrived in the colony in December, 1831, as the King's representative. Casting his eye, as a philosopher and a statesman, over the colony, it was not difficult for His Excellency to discover the extremely mischievous and ruinous tendency of the existing system, and the necessity for a change. He did not venture, however, to express his opinion, in reference to such a change as it was necessary for the Government to effect, till he had maturely considered the subject in all its bearings on the best interests of the colony; for it was not until he had been nearly two years in the colony, that he addressed his famous dispatch on Churches and Schools to the Right Honourable the Secretary of State for the Colonies. That dispatch, which the reader will find in the Appendix, No. 2, I have already characterized as one of the ablest, as it is doubtless, in reference to the best interests of the community to which it relates, one of the most important state papers I have ever seen; and it was peculiarly fortunate for the colony of New South Wales, that, in the rapid changes that have taken place in the Colonial Office during the last few years, it fell into the hands of so liberal, so enlightened, so Christian a statesman as the Right Honourable Lord Glenelg. His Lordship's reply will be found along with the Governor's dispatch in the Appendix, and I confess I know not which to admire the

most. In consequence of the series of changes to which I have alluded, that reply was not written till the close of the year 1835, and did not arrive in New South Wales till the month of April or May, 1836. It was published in the colony in the month of June of that year; and the following are the terms in which its publication was announced in a colonial weekly journal, which I had been the means of establishing, and to which I was in the habit of making occasional contributions:

“We were just going to press with our last number, when we received a copy of His Excellency the Governor’s Dispatch to the Secretary of State for the Colonies, on the Churches and Schools of New South Wales, accompanied with a copy of the Right Honourable Lord Glenelg’s reply; and we had only time to glance over the important documents, and to notify our intention to insert them at length in our next number before going to press. We now hasten to redeem our pledge, after making a few preliminary observations.

“It is, therefore, with sincere pleasure that we inform our numerous and respectable readers, both in New South Wales and beyond seas, that we have never perused any state papers connected with the administration of public affairs in this colony, the perusal of which has afforded us more unmingled satisfaction than that of the documents we refer to. His Excellency the Governor has already received the highest commendation from the Right Honourable the Secretary of State for the Colonies, for the luminous exhibition he has given, in his dispatch, of the Ecclesiastical and Educational Statistics of New South Wales, as well as

for the liberal and enlightened policy he has recommended to the Home Government for the future administration of these branches of our colonial polity; and he will, consequently, stand in no need of our humbler meed of approbation. But we should be utterly deficient in those feelings of respect which we owe to ourselves as British subjects, as well as in those sentiments of lively gratitude which we owe to our political benefactors, if we suffered a document of such vast importance to the future welfare of all classes in this remote dependency of the empire, as His Excellency's dispatch, to be passed over in silent indifference, or with faint and feeble praise. In fact, we are honestly and candidly of opinion, that the measure which His Excellency the Governor has recommended in his dispatch, and which the Right Honourable the Secretary for the Colonies has approved in his reply, will constitute and be regarded in all future times as the *Magna Charta* of the religious liberty of this infant empire.

“The documents we refer to enable us virtually to realize a consummation for which we have looked and longed for the last ten years and upwards, with all the anxiety with which the shipwrecked mariner, in a dark night and a stormy sea, looks and longs for the day. Sir Richard Bourke had already attained the high honour and satisfaction of having given emancipation to the native tribes of Southern Africa, and of having elevated the oppressed and enslaved Hottentot to the dignity of a freeman.* He has now earned a fresh laurel on a

* “Most of our readers are doubtless aware, that His Excellency Sir Richard Bourke was for some time Acting Governor at the Cape of

different field, and acquired a lasting and imperishable fame, by giving religious liberty to the freemen of Australia, and by thereby affording a stimulus to the exertions of all honest and Christian men, for the future advancement and Christianization of this infant empire—such as had never previously been afforded: in—somuch that whenever the policy he has recommended, and the Home Government approved, takes the form of an Act of our Colonial Legislature, as we are confident it will very shortly, he may say with the poet:—

Exegi monumentum ære perennius,
 Regalique situ pyramidum altius,
 Quod non *imber edax*, non *Aquilo impotens*
 Possit diruere, aut innumerabilis
 Annorum series, et fuga temporum.

‘I have reared a monument more enduring than a statue of bronze, loftier and more honourable far than

Good Hope, and that, during his administration of the government of that colony, he promulgated an ordinance, commonly designated the 50th ordinance, which was much opposed by the Dutch colonists at the time, but was highly approved and ratified forthwith by the Duke of Wellington’s government, and the object of which was the total enfranchisement of the native population. During the sessions of the Select Committee of the House of Commons, appointed to ascertain the condition of the aboriginal inhabitants of the British Colonies, Thomas Fowell Buxton, Esq., M.P., in the chair, Major William Bolden Dundas, of the Royal Artillery, was examined relative to this ordinance on the 6th of August last. The following is the question proposed to him, with the reply it elicited:—

“Is it correct to suppose that Lord Caledon was the first Governor who passed an ordinance in favour of the Hottentots, and that that ordinance was afterwards confirmed by General Bourke, for removing their disabilities?”—“Lord Caledon’s proclamation or act certainly altered very materially the condition of the Hottentots, but General Bourke’s ordinance emancipated (I think you may so say) the Hottentots altogether.”

the royal pyramids of Egypt;—a monument, which *the impotence of the Tories* cannot subvert, nor *the rushing torrent of the Radicals* sweep away;—a monument, which is destined to outlive the lapse of countless years, the flight of innumerable ages.*

“The Presbyterians of New South Wales, in particular, may well respect and venerate Sir Richard

* “Speaking of monuments, we have been informed that that respectable colonist, Mr. Busby, has been going about for some time past collecting signatures for an address to General Darling, and subscriptions for a monument to his honour. Now, as we know of no act or series of acts of General Darling’s government, deserving a monument *from the public*, we can only resolve the affair into a becoming and praiseworthy expression of *private gratitude for favours received*,—at whose expense we shall not insinuate. It sits peculiarly well on Mr. Busby to take a prominent part in an affair of this kind; for, during the late administration, Mr. B.’s family, besides enjoying the various indulgences granted to other free emigrants, in the shape of grants of land, town allotments, convict-labourers and mechanics, engrossed at one time not less than about £1500 a-year of the public revenue. So gross a perversion of *public patronage*, on the part of his late Excellency, well deserved some expression of *private gratitude* on the part of the recipient; and Mr. Busby, to his credit, is evidently a grateful man. If Mr. B. should not have thought of an inscription for the Darling Monument, we can help him to the following, which we think by no means inappropriate:—

IN HONOUR OF
LIEUT.-GENERAL SIR RALPH DARLING, K. C. B.,
FOR SIX YEARS GOVERNOR OF THIS COLONY.

ERECTED

BY THOSE CIVIL AND MILITARY OFFICERS,

AND

BY THOSE OTHER INHABITANTS OF THE COLONY,

WHOSE PRIVATE INTERESTS

HE WAS EVER READY TO PROMOTE

AT THE EXPENSE

OF

THE PUBLIC.”

Bourke. When they modestly asserted their right to the countenance and support of Government, in the year 1823, they were treated with insult by a Scotchman, Sir Thomas Brisbane! * When they modestly asserted that right a second time, during the late administration, they were treated with cold, and studied, and contumelious neglect, by an Englishman, Sir Ralph Darling! But they have had ample justice done them at length, and spontaneously too, which renders it the more estimable, by an Irishman, Sir Richard Bourke! Yes: and we are happy to inform His Excellency, that as Scots Presbyterians, in whatever country they are settled, are uniformly a grateful as well as an intelligent and an active people, they are not likely to undervalue or to forget the boon! As public journalists, we have not been blind to the errors of Sir Richard's government; neither have we ever attempted to conceal them: but a measure like the one which His Excellency has recommended, and the Home Government approved—so liberal, so comprehensive, so strongly indicative of an enlightened understanding and a benevolent heart—were sufficient, in our opinion, to cover even a multitude of political sins. In fact, the measure we allude to is the first honest, straightforward, rational, and judicious attempt, which has every yet been made by the British Government, for the intellectual, the moral, and the spiritual renovation of the Australian Colonies; and anticipating, as we do, the most important and beneficial effects from

* “It was doubtless at the instance of the high Tory Colonial Secretary, Major Goulburn; but Sir Thomas was greatly to blame.”

its future working, we hail with unmingled satisfaction the dawn of a brighter day for Australia!

“ Although the principles developed in His Excellency's dispatch are not arranged categorically, we shall state them in order, for the benefit of our readers. They are as follows:—

“ 1. That in the present state of this colony, it is expedient and necessary, for the furtherance and promotion of religion and good government, that the Government should extend its countenance and support to the dispensation of the ordinances of religion.

“ 2. That it is equally expedient and necessary that this countenance and support should be extended in such a way, as not to render the ministers of religion independent of the Christian liberality and respect of their people.

“ 3. That the exclusive establishment and endowment of any one Church, or body of professing Christians, in this colony, is equally inexpedient and impracticable.

“ 4. That as there are at present three religious bodies or Churches already recognized and supported by the state in this colony, viz. the Episcopalians, the Roman Catholics, and the Presbyterians, who constitute the three most numerous and leading denominations in the colony, it is expedient and necessary for the future, with a view to the promotion of religion and good government, and the establishment of peace and concord, to extend the countenance and support of government to these Churches or religious bodies indiscriminately; leaving it in the power of the Local

Government to extend that countenance and support to other Churches or religious denominations, as they shall see proper.

“ 5. That it is expedient that the countenance and support of Government should henceforth be extended to these Churches or religious bodies in the following manner; viz.—that in whatever place or district in the colony not less than £300 shall be contributed by the people for the erection of a Church and manse for any one of these denominations, an equal amount shall be paid from the Colonial Treasury; and that if one hundred adult persons shall subscribe a declaration of their desire and intention to attend divine worship in the said Church, a salary of £100 shall be paid by the Government to the minister; that if two hundred adult persons shall subscribe such a declaration, a salary of £150 shall be paid by the Government; and that if five hundred adults shall subscribe such a declaration, a salary of £200 (which shall henceforth be the maximum in all cases) shall be contributed from the Treasury.

“ In regard to these principles, we have only to observe, that the system recommended by His Excellency the Governor, and approved by the Home Government, proposes to combine the permanence and security of a religious establishment with the life and vigour of the voluntary system; and we have no hesitation in expressing our opinion, that, although the latter system will eventually be found the ‘more excellent way,’ in a country in which the population is broken up into various denominations, as is the case in this colony; the system proposed by His Excellency is unquestionably

the most favourable for the planting of Churches *in the present state of the colony*, and for the rapid diffusion of Christian knowledge among its widely scattered population. Indeed, the system proposed by His Excellency appears to have been devised with consummate wisdom, as a means of extending the blessings of religious instruction in a pastoral country; for whenever a hundred adults shall attach themselves to the ministrations of any pastor duly recognized and sent forth by one or other of the Colonial Churches, and shall contribute a comparatively small amount for the erection of a Church and manse, the Government guarantee a salary of £100 per annum for such pastor, and advance at least £300 from the public Treasury, to assist in erecting his Church and manse: and to stimulate the exertions of the pastor, his Government salary is to be augmented to £150, or even to £200 per annum, as soon as he rallies around him a congregation of two hundred or five hundred adults. We presume His Excellency intends that the adults in these cases shall be free persons and of good repute, and that they shall either be householders, or persons having a permanent residence, in their respective districts. It would be easy to get names enough, and consequently to impose upon the Government, if these points were not attended to.

“The prospect which the proposed system holds out to the well-disposed portion of our colonial youth is in the highest degree favourable. The Christian religion can never make much progress in any country, until that country has learned to produce native ministers; and it

ought, therefore, to be the first duty of the ministers of any Church in a newly settled country to make provision for training up to the sacred office the sons of the soil. The colonial youth of piety and zeal, who devotes himself to the ministry in the Australian colonies, may not indeed realize his thousands per annum, like the man of sheep and wool; but he can never fail, under the proposed system, of obtaining a Church, a congregation, and a moderate income. This highly favourable prospect, conjoined with the acknowledged difficulty of procuring an adequate supply of ministers of religion from the mother country, will, we conceive, demonstrate the necessity of establishing and endowing institutions for the education of youth of a much higher caste than mere primary or elementary schools. We are sorry, indeed, to observe, that His Excellency the Governor, and the Right Honourable Lord Glenelg, have given some degree of countenance to the Gothic, or rather Hunnish heresy, which, we find, obtains in certain quarters in this colony, viz., that in such a colony as this the Government ought not to extend support to any other than elementary schools. Now we admit, that if our Colonial Treasury were low and impoverished, it would be fair enough to question the propriety of endowing High Schools and Colleges, for the education of youth in the higher branches of useful knowledge: but when that Treasury can bear salaries of two thousand a year, for services that might well be rendered for one-half the amount, it is an insult to the common sense of the colony to talk of the wretched economy of saving a few hundreds a year by the non-

endowment of High Schools and Colleges. Institutions of this kind *must* be founded, and that forthwith, for the education of ministers of religion, if for no other purpose ; otherwise we shall ere long have its territory over-run with an uneducated and unqualified ministry, —one of the greatest calamities that could possibly befall our adopted country. Besides, in a country, in which the lowest possible amount of intellectual acquirement is sufficient to enable a man to realize a moderate independence, the temptation to acquire knowledge for its own sake is at best feeble and inactive ; and the probability is, that in such circumstances—and these are exactly the circumstances of this colony—the march of society will be retrogressive, and that men will eventually be sent to represent the people in their future Colonial Legislature, who, in point of intellect, might themselves be represented by as many bales of Australian wool. To counteract this downward tendency of colonial mankind ; to form a class of men, who shall lead the van of society, and leave the impress of their own master-minds on its otherwise rude and shapeless mass ;—it is alike the interest and the duty of Colonial Governments to have hot-houses, so to speak, for nursing the rarer and exotic plants of knowledge, as well as kitchen-gardens for rearing those of hardier growth and more general utility ; or, in other words, to infuse a taste for knowledge of a superior character, by making the commodity more easily accessible to those who desire it ; *and not merely to supply the existing demand, but to create such a demand, where it does not already exist, through a liberal supply.*

“ But to return to our immediate subject. We are well aware that the liberal and enlightened policy which the Home Government have approved and sanctioned, on His Excellency the Governor’s recommendation, will be represented in certain quarters as ‘ a blow at the root ’ of Protestant Christianity—as a wicked attempt to subvert and ruin the Colonial Episcopal Church. His Excellency the Governor can well afford to bear such interested and factious misrepresentations ; in which individuals in this colony are accustomed to embody and to *Herald* forth their disappointed ambition or their pitiful malignity. We admit that the policy which His Excellency proposes to enforce for the future, in regard to ecclesiastical affairs, will operate as a death-blow to that system of Exclusive Episcopal domination, under which Christianity itself has suffered, and bled, and well nigh expired, in this colony—that system which has thwarted and paralyzed the exertions of honest and Christian men ; which has set the ministers of the gospel of peace at variance with each other ; which has planted jealousies and dissensions over the whole surface of society, and tended to alienate from His Majesty the King the affections of the most enlightened and loyal of his colonial subjects. But we deny that the policy to be enforced in future by our Colonial Government will in the least degree affect the Colonial Episcopal Church as a Christian, a Protestant, a useful Establishment : on the contrary, it will improve and elevate its character ; it will infuse the breath of spiritual life into its withered and sickly frame ; it will extend and augment and perpetuate both

its usefulness and its resources; it will rally around it the affections and the energies of many of the Christian people; it will transform it from a mill-stone hung around the neck of the colony into a precious jewel suspended by a chain of wrought gold. Let the Bishop only 'do what his hand findeth to do' for the welfare and advancement of his Church 'with all his might;' let him only 'go where glory waits him;' and Episcopacy will ere long be rooted, not indeed in the Treasury Chest, but in the hearts of a goodly number of the Protestants of Australia.*

* "If we could presume to offer advice to Bishop Broughton, in regard to the best means of promoting the interests of Protestant Christianity, in connexion with that portion of the Christian Church in the four Australian colonies of which he has the charge and oversight, we would advise him by all means to follow the example of Bishop Chase, and to strain every nerve for the establishment and endowment of a college, to be designated by some such name as the Bishops' College, for the education of ministers of the Episcopal Church in these colonies. One respectable theological institution, to be situated perhaps near Parramatta, would at present be amply sufficient, as a nursery for the Episcopal Church in New South Wales, Van Dieman's Land, Southern Australia, and Swan River; and we are confident that such an institution would meet with general support among the respectable Episcopalians of the two older colonies. Into an institution of this kind, the want of which is peculiarly evident at the present moment, young men should not be admissible under fifteen or sixteen years of age, nor until they could read the Greek Testament, and the common Latin classics, with fluency. Their preliminary, we mean their general and classical education, could be obtained at the King's School, the Australian College, the Sydney College, or in any private school or academy in the colony. Van Dieman's Land would in all likelihood supply a larger number of students in the first instance than this colony; and the Episcopalian Clergy in both colonies could easily be got to act powerfully as caterers for the institution, both in raising funds and in procuring suitable students from their respective flocks. Four professorships at least should

“We acknowledge indeed, and we do so with sincere pleasure, that the measure to be acted on in future by

be founded, as the basis or groundwork of the institution; all of which we conceive the Government ought to endow with salaries of at least £200 per annum each: the benevolence of individuals would have a sufficient field for the endowment of others. The four foundation professorships should be as follows:—

“1. Intellectual and Moral Philosophy—embracing courses of lectures on the Philosophy of Mind, and on Christian Ethics; the students to be regularly examined, and drilled in composition, by writing essays, &c.

“2. Sacred Literature—embracing prelections on the language and literature of the Hebrews, on their manners and customs, and on difficult passages in the Sacred Scriptures; the students to read the Hebrew and Greek Scriptures daily and largely, and to write analytical and exegetical essays on particular texts.

“3. Church History and Polemical Theology—embracing courses of lectures on the History of the Church, and the controversies that have agitated it down to the present day; the students to write theses, and to conduct public disputations on controverted points.

“4. Theology—embracing a complete course of lectures on the doctrines and duties of Natural and Revealed Religion; the students to undergo regular examinations, and to prepare and deliver homilies, lectures, sermons, &c.

“A moderately good classical scholar, entering an institution of the kind suggested, and of suitable age, dispositions, and abilities, might in four years receive a much better theological education, under four such professors, than three-fourths of the clergy of the Church of England receive at Oxford and Cambridge; where young men, intended for the Church, for the most part *misspend* their time over the classics and the mathematics. With the present prospects of the Episcopal Church in the Australian Colonies, a college of the kind suggested should have as many students from the first, as to enable the Bishop to ordain from ten to fifteen ministers every year, as soon as the first class of students should have finished their theological course.

“The Presbyterians of New South Wales and Van Dieman's Land are not likely to be behind other communions, in the establishment of a theological institution for the training up of ministers of religion; but as the course of clerical education, prescribed by that body, is considerably more protracted than the one required for the Church of

this Government constitutes the Great Charter of the Presbyterian Church : but if any man supposes that the extension and advancement of that communion is incompatible with the increasing prosperity of the Colonial Episcopal Church, and that Presbyterians will, consequently, look with an evil eye on their Episcopalian brethren, he is grossly ignorant of the nature of man and of the genius of Christianity. If any of the larger members of the Christian body fall into a state of lifelessness and inactivity, of disease and spiritual death, the calamity will be felt by all the other members, and they will all suffer along with it. It is only when the blood flows briskly through every vein of the spiritual body, that that body can attain the full vigour and the health of manhood ; each member growing with the growth, and strengthening with the strength, of every other.

“ As to the mode in which the new system will operate for the future ; supposing that a third Episcopalian Church (for which, we acknowledge, there is already room enough in the southern quarter of the town) should be erected in Sydney, will any person suppose that the congregations of these three churches would experience the least difficulty in raising, from pew-rents, a sufficient amount to afford their ministers a salary of £400 per annum each, including the Government maximum of £200 ? And as the Government propose to contribute half the requisite amount for erecting

England, they will require a larger importation in the first instance from the mother country, as they will necessarily be longer in having colonial-made ministers on the field.”

a permanent dwelling-house for the minister, will any person allege, that such a salary, together with a free house, is not amply sufficient for a minister of any communion in our colonial capital? It appears indeed, from the Abstract of the Colonial Revenue for the past year, that not more than £157. 6s. 7½*d.* was realized, in the shape of pew-rents, for that year, from all the Episcopal Churches in the colony; but this only demonstrates the wretched system of management that has hitherto obtained in that department, and the bad policy, as far as the Government and the Public Revenue are concerned, of supporting the clergy exclusively from the Treasury Chest. The past year was the first in which any thing like an attempt had ever been made to realize a revenue (to be devoted to ecclesiastical purposes) from the Scots Church in Sydney; and under all the disadvantages of that attempt—a congregation dispersed, through the repeated absence of the minister in England, and that minister overburdened with extra-official duties, interfering in no small degree with the duties of the ministry—a revenue of £111 was raised with the utmost facility, and the practicability of raising a revenue of several hundreds a year, in more favourable circumstances, sufficiently demonstrated. The practicability therefore of raising sufficient incomes for the town ministers of the Episcopal Church, on the system about to be introduced in the colony, may therefore be considered as unquestionable. In most of the towns and settlements in the interior, the maximum salary, contributed by the Government, will also be procurable for ministers of the

Church of England ; and if the Bishop only adopts the right means for training up suitable ministers in the colony, and allows the people their choice of these ministers, their incomes will undoubtedly be made ample enough. As for the Presbyterians, who are considerably less numerous in the older districts of the colony, they would seldomer be able to realize the maximum salary for *their* ministers ; but being already drilled in some measure into the Governor's semi-voluntary system, they will doubtless receive its provisions as a most valuable political boon, and go to work upon them in right earnest, and forthwith.

“ We shall doubtless be told, that the grand objection to the new system is the admission of Roman Catholics to equal rights and privileges with the Protestant communions. For our own part, as zealous Protestants, we are sorry to find the Government of a Protestant country reduced, as this Government evidently is, to the necessity of supporting and extending what we conceive to be a system of error and delusion—a gross corruption of the religion of Christ. But the fact of the matter is, we cannot help ourselves : the people, to whom Governments are now amenable, will no longer tolerate an Exclusive Colonial Establishment ; and we must therefore just make the best bargain possible, by agreeing to share all alike. But if those Protestants, who object to the Roman Catholics receiving their fair proportion of the public funds for the maintenance of their religious worship, would only agree with the American republicans to recommend to the Government to leave every religious denomination to support

its own ministers, we would reply, 'With all our heart.' At present, however, having fairly, and we confess somewhat unexpectedly, reached the Half-Way-House, on the high road to the Voluntary Principle, we must just 'rest and be thankful.'"

The important measure recommended by Sir Richard Bourke and approved by Lord Glenelg was at length embodied in a bill which has since passed the Legislative Council of the colony, and is now the law of the land. I have not received a copy of that bill, since my return to England; but the following announcement of its general objects, which was published by authority before I left the colony, will afford the reader a general idea of the new ecclesiastical system which now obtains in the colonies of New South Wales and Van Dieman's Land.

Extracted from the 'New South Wales Government Gazette,' 20th July, 1836.

"A Bill to promote the Building of Churches and Chapels, and to provide for the Maintenance of Ministers of Religion in New South Wales."

"In conformity to the principles upon which His Majesty's Government have been pleased to sanction contributions from the Colonial Revenue towards the support of public religion in this Colony, it is proposed to enact as follows:—

"1. That whenever a sum not less than £300 shall have been raised by private contributions towards the building of a Church or Chapel, and Minister's dwelling, the Governor, with the ad-

vice of the Executive Council, to be authorised to issue from the Colonial Treasury any sum not exceeding the amount of such private contributions, to the extent of £1000, in aid of the undertaking.

“ 2. The Governor, with the advice of the Executive Council, to issue stipends to officiating Ministers at the following rates ; namely :—

“ If there be a resident population of 100 adults, subscribing a declaration of their desire to attend the Church or Chapel of such Minister, £100 per annum.

“ If 200 adults, £150 per annum.

“ If 500 adults, £200 per annum.

“ 3. If notwithstanding there be less than 100 adults, the Governor and Executive Council to be authorised to issue, under special circumstances, a stipend of £100 per annum.

“ 4. In places where there is no Church or Chapel, and there is a reasonable ground for delaying the erection of the same, the Governor, with the advice of the Executive Council, to be authorised to issue any sum not exceeding £100 towards the stipend of a Minister, in aid of private contributions to the same amount, such contributions not being less than £50.

“ 5. Trustees, not less than three in number, to be appointed for every Church or Chapel by the private contributors towards the same ; to which Trustees the real estate therein shall be conveyed, and who shall receive and account for sums issued in pursuance of this Act.

“ 6. Free sittings to be reserved in every Church or Chapel, to the extent of one-fourth of the whole, for the use of poor persons.

“ 7. Trustees to be appointed for Churches or Chapels already erected.”

In regard to the principle of this important measure, it is but justice to the Government to state, that it was a measure of necessity. The maintenance of an exclusive Episcopal establishment in the Australian colonies was utterly impracticable ; and the maintenance of two contemporaneous establishments, exclusively Protestant, was not less so ; as a measure of that kind would only have opened a wide field for future agitation, and provided an ample theatre for some colonial O'Connell. If “ justice to Ireland,” the professed object of that great agitator, has not yet been attained, His Majesty's Government have at all events done justice, in the great matter of religious establishments, to the Australian colonies. In these colonies, constituted as they are of a population composed of three converging streams flowing contemporaneously from three kingdoms, the only alternative which a Government endued with common sense could possibly have adopted, was that of establishing either the system of the Netherlands and of France, where the clergy of all denominations are supported equally by the Government ; or the system of America, where all are indiscriminately left to the free-will offerings of the people. For my own part, though a member of an established church, and though receiving a liberal salary from the Crown as a minister of that church in a British colony, I confess I should greatly

prefer the latter of these systems—I mean the system of America—for the colony of New South Wales, to the system of three or more contemporaneous establishments, as well Popish as Protestant, which the Government have sanctioned : and were the Government salaries of the clergy of all denominations in that colony to be forthwith and for ever withdrawn, so far from despairing of the cause of God in the country, or from being less loyal as a British subject than I have hitherto been, I should rather be inclined to say, *Advance Australia ! God save the King !*

In fact, I have long been convinced that the interests of the Christian religion would by this time have been in a much more advanced and prosperous state than they actually are, even in the convict colony of New South Wales, if not one sixpence had ever been paid from the colonial treasury to a single minister of religion in the territory, and if the planting of churches in the colony had been left entirely to Christian philanthropy and British benevolence. Religion is a sensitive plant, which, when delicately handled, refuses not to grow under the shadow of the royal oak ; but it is so apt in that situation, and especially in the colonies, to be trodden down by the sycophant, the formalist, and the worldling ; while other plants, which the Great Husbandman has not planted, are so apt to be cultivated in its stead, that it is far likelier to flourish in the open field of the world, where those who are unacquainted with the habits of the plant are apt to imagine it can find no depth of soil to strike its roots downward, and no shelter from the pitiless storm. So long as the Ark remains the symbol of

the God of Israel, the Strength of Israel is pledged for its defence: when it ceases to maintain that high character, it is worth defending no longer. A short-sighted priesthood—a priesthood of little faith—may be ready to exclaim in the bitterness of their heart, at the first murmurings of the storm that seems ready to burst over the religious establishments of the mother country, *The glory is departed, for the Ark of God is taken!* But the mighty and mysterious symbol will still be safe even in the cities of its enemies; and the gods of the Philistines and the might of their people will at length fall prostrate before it.

The evil spirit of liberalism and infidelity has doubtless planted itself, like Samson, between what it considers the two main pillars of Christianity—I mean the two Protestant Established Churches of Great Britain and Ireland; in the hope, that by wrenching these pillars from their pedestals, the whole fabric of Christianity will fall to the ground, and the restraints of religion be altogether removed. But, in cherishing such an idea, Infidelity is still as blind as was the son of Manoah. It is only the house of Dagon she can bring down with all her efforts: it is only the lords of the Philistines she can overwhelm under its ruins. The Church of the living God is founded on a rock: Infidelity can neither shake nor subvert it. The earth may be removed, and the mountains be carried into the midst of the sea; but the ensign for the people will still wave as conspicuously as ever on the hill of Zion, and the pure river of the water of life will still gladden the inhabitants of that city of God.

In regard to the practical operation of the new ecclesiastical system to which the colonists of New South Wales and Van Dieman's Land are now subjected, I am happy to state that it promises to be attended with the happiest results. It has already infused something like life and vigour into the withered and shrivelled arm of colonial Episcopacy; it has proved as life from the dead to the Presbyterian communion. By the Episcopalian laity of all classes it has not only been acquiesced in as a measure of urgent necessity, on the score of justice to others, but received as a measure of real benefit to themselves. Local committees for the raising of the funds requisite for the erection and endowment of additional churches of that communion in all parts of the colony, were formed immediately after the announcement of the new system, under the auspices of Bishop (formerly Archdeacon) Broughton, who had then recently arrived from England; and corresponding committees have since been appointed in England and Ireland to select and to send out to the colony suitable ministers. Such efforts deserve unqualified praise, and I hope and trust they will be abundantly blessed for the spiritual welfare of the colonists of Australia. When I hear, however, of a subscription being also set on foot for the same purpose in the mother country,—when I observe a touching appeal to the Protestants of England in behalf of the colonists of New South Wales, and a contribution of not less than three thousand pounds announced in the public prints as obtained for the purpose of building them Episcopalian churches—I cannot but acknowledge that there is

somewhat of *the leaven of the Pharisees and of the leaven of Herod* mixed up with this religious excitement. The Episcopalians are undoubtedly the wealthiest of all the three leading communions of New South Wales, and I have no hesitation in expressing my belief and conviction, that they are quite willing to provide themselves with the regular dispensation of the ordinances of religion, under the new system, in all parts of the colonial territory. In such circumstances, it is not only mean and unworthy in the extreme, it is absolutely dishonest to practise on the honest gullibility of the Episcopalians of England, by inducing them to believe that it is either necessary or a duty incumbent on them, to assist their *poorer* brethren to build churches in New South Wales. I say, *absolutely dishonest*; for whereas the appeal to the Protestants of England is founded on the assumption that these churches are required for the convicts, who have no means of building them themselves; the fact is, that of the twenty-five thousand convicts at present in the colony, upwards of twenty-one thousand are in the employment of wealthy colonial proprietors, who are both able and willing enough to build churches for them wherever they are required. I repeat it, it is absolutely disreputable to the colonial Episcopalians, as it is also somewhat discreditable to the colony itself, to allow any man or class of men to solicit charity for them in England, or to chant, on their behalf, "A begging we will go." For my own part, although belonging to a communion which has considerably less wealth at its command than the colonial Episcopacy, I have uniformly disclaimed the desire to

obtain any thing whatever, in the shape of subscriptions in the mother country, for the erection of churches for that communion in New South Wales ; employing such language as the following :—“ Give us only right-hearted men to do the work of itinerant ministers and evangelists throughout our territory, and, like the ancient Jews, *we will build OURSELVES unto the Lord God of Israel.*”

The Episcopal Church establishment in New South Wales comprises a bishop and eighteen chaplains ; but there is room enough, at present, for at least ten or twelve additional Episcopalian ministers in the colony. Of the Presbyterian communion in connexion with the Church of Scotland there are only five ministers in New South Wales, and four in Van Dieman's Land ; the energies of that communion having hitherto been in great measure repressed through the obstacles that were uniformly thrown in the way of the establishment of additional churches, under the old system, by the local government : but the number of the Presbyterian inhabitants of both colonies, the extent of land they occupy in all parts of the colonial territories, and their general resources, will enable them to settle not fewer than twenty additional ministers in New South Wales, and ten in Van Dieman's Land, as soon as the necessary arrangements can be effected, and suitable ministers procured from the mother country.

As the Roman Catholic population of New South Wales, which comprises about a fourth of the entire population, consists almost exclusively of convicts, and emancipated convicts and their families, while the

Episcopalian and Presbyterian communions comprise a very large majority of the free emigrant inhabitants, together with a large proportion of the convicts and freed persons; the greatly superior advantage which the friends and members of these communions will have in rendering the new arrangement available for the planting of additional Protestant churches, and the settlement of additional Protestant ministers, is evident and unquestionable. At the same time, the strenuous and well-directed efforts of the Roman Catholics, who have now a Bishop in New South Wales,* and a Vicar in Van Dieman's Land—of whom the latter is at present in England, procuring a supply of Romish priests for the two colonies, while the former is endeavouring to found a college for the education of priests in New South Wales, doubtless not merely to rivet the chains of popery on its present adherents in the Australian colonies, but to extend the reign of superstition over the neighbouring and highly interesting isles of the

* It is not the fact, although it is still commonly asserted by the Tory party in England, that the *infidel* Whigs sent out a Romish bishop to New South Wales, with a salary of a thousand a year. Dr. Poulding, the bishop alluded to, had no salary when he went out to that colony; but he obtained one of five hundred per annum from the Legislative Council of the colony shortly after his arrival, on the memorial and petition of the Roman Catholic population. The ecclesiastical Tories of the mother country, who are fond of dwelling on such cases as the one I have mentioned, as proofs positive of the popish and infidel tendencies of the Whigs, should recollect that it was the Tories (Earl Bathurst being Colonial Secretary at the time) who first sent Roman Catholic priests with salaries from the state to the Australian colonies. With the policy or propriety of such a measure, I am not concerned at present. All I intended was to show that it was originally a Tory measure, for the principle of which that party are consequently responsible.

Pacific,—should doubtless animate the zeal of all the Protestant communions of the colonies, and stir them up to every needful exertion, to maintain the moral ascendancy and to secure the general reception of the great doctrines of the Protestant Reformation in those vast territories, of which Great Britain has, most fortunately for the best interests of humanity, been enabled by Divine Providence to obtain possession in the Southern Hemisphere: for, as the Man of Sin, feeling his throne tottering on the Old Continent, is now in anxious and diligent search for new continents to subject to his unhallowed domination, it surely becomes the bounden duty of the friends of the Protestant Reformation generally, whether they march under the standard of Reuben or under the standard of Judah, to unite all their moral and spiritual energies to secure the attainment of their common object, and thereby to rescue the fair provinces of the Australian continent, with the multitude of the isles adjacent, from that moral incubus, to which they will otherwise be subjected, and which has evidently paralysed all the energies of Southern America.

In short, on the character and conduct of the Protestant ministers of all communions who may be sent forth to supply the present demand for such ministers in the Australian colonies, and thereby to form the nucleus of a Christian Church in one of the most important centres of moral and religious influence which the round globe presents at this moment to the eye of Christian philanthropy, will depend, in a far greater degree than can possibly be conceived in England, the

welfare of a large portion of the future inhabitants of the Southern and Eastern Hemispheres. From its vast extent and boundless resources, from its rapidly increasing wealth and population, and especially from its geographical position, the colony of New South Wales will not only take the lead among the Australian settlements, and ensure general predominance in that continent to whatever communion, whether Protestant or Roman Catholic, shall eventually occupy the foreground in its territory, but prove a source of moral influence, besides, either for good or for evil, to millions and millions more of the human race : for, in addition to a continent nearly equal in extent to all Europe, and presenting, moreover, eight thousand miles of sea-coast, numerous harbours of first-rate character and importance, and an unknown extent of available land, the moral influence of the Christian Church of New South Wales will extend, eventually, to the neighbouring islands of New Zealand, containing a native population of half a million of souls, and comprising an extent of territory almost equal to that of the British islands ; to the western islands of the Pacific, numberless and teeming with inhabitants ; to the Indian Archipelago, that great storehouse of nations ; to China itself. That the Romish Propaganda has already directed her vulture eye to this vast field of moral influence, and strewn it in imagination with the carcasses of the slain, is unquestionable. Spanish monks and friars have within the last few years been sent from the recently formed republics of South America to the eastern islands of the Pacific : other groups, still more distant from the

American continent, have also been surveyed and taken possession of by Romish missionaries, direct from France ; and the Roman Catholic Bishop of New South Wales is already taking his measures for co-operating with these missionaries, from the westward, by transforming the sons of Irish convicts in New South Wales and Van Dieman's Land into missionary priests, and dispersing them over the length and breadth of the vast Pacific. In such circumstances, any thing like listlessness or inactivity, on the part of the Protestant communions of New South Wales, would be nothing less than high treason to the cause of the Protestant Reformation.

In making the requisite preliminary arrangements for the organization and establishment of the Presbyterian Church, under the new ecclesiastical system, in the Australian colonies, I was expressly authorized by many and influential Presbyterians, both in New South Wales and in Van Dieman's Land, to apply for ministers for these colonies to all the three great divisions of that communion—first to the Church of Scotland and the Synod of Ulster ; but, if unsuccessful in these quarters, to the Presbyterians of America. The Australian colonies are at present peculiarly a missionary station, and the minister who is likely to be of any service to the community in such a station must consequently be prepared to go forth to his future field of duty with a missionary spirit and in a missionary character : but such, I am sorry to say, is by no means either the character or the spirit of a large majority of the present ministers and licentiates of the Scottish Church ; and it is therefore expedient, if not absolutely necessary, in looking for the

moral and spiritual renovation of the Australian colonies, to look also to other portions of the Presbyterian communion, in which there may be still more remaining than in that body, of the life and vigour of other days. Besides, the Scottish clergy have for some time past been putting forth such anti-confession-of-faith doctrines, and following such *divisive* and irrational *courses*;—lauding the system of Episcopacy, merely because it happens to be the system *established* in England and Ireland; defending the grievous abuse of church-rates, and thereby doing their utmost to prevent the *civil magistrate* from reforming the Church of England; and endeavouring with all their might, like *wise master-builders*, forsooth, to rest the main beam of the Scottish establishment on the gable-end of the Irish Church;—that it would scarcely be safe to entrust them with the exclusive organization of a church to be established on the old Presbyterian model in the Australian colonies. I am happy, therefore, to have it in my power to state, that in consequence of an application to the Synod of Ulster, emanating from the colonies and sanctioned by the Government, not fewer than six Presbyterian ministers of approved character and established reputation are about to proceed from that Synod to New South Wales and Van Dieman's Land, for the express purpose of assisting in laying the foundations of the Presbyterian Church in these colonies. An application has also been made very recently to the American Board of Missions, for several regularly educated and ordained Presbyterian ministers from the United States, to be employed as itinerant ministers in various parts of

the colonial territories, under the direction of the colonial Presbytery. Both of these communions—the Synod of Ulster and the American Presbyterian Church—were originally emanations from the Church of Scotland; and they seem at present to be in a somewhat healthier state than their venerable parent, and consequently in a fitter condition for evangelizing countries of so peculiar a character as the penal colonies of Great Britain and Ireland. Their ministers, moreover, have been much less affected by the agitation of the voluntary question than the great majority of the Scottish clergy, and have consequently not been transformed (as I am sorry to say has been the case with not a few of the more influential of the latter) into mere political crusaders, as little animated with genuine Christian principle, in their pitched battles with the Whig Government and the voluntaries, as their famous prototypes of old in their wars with the Infidel for the Holy Land.* Indeed, as His Majesty's *Infidel* Go-

* The doctrine of the Confession of Faith, on the subject of ecclesiastical establishments, is simply that the *civil magistrate* is bound to establish and to support the Christian Church, *wherever and whenever he can do so, on the Presbyterian model*. In regard to the obligation on the part of the civil magistrate to establish and to support the system of prelacy or episcopacy, it cannot even be alleged that the authors and original supporters of that famous standard are silent on the subject; for one of the main objects of their *Solemn League and Covenant* was to extirpate prelacy, as a monstrous usurpation of the rights and prerogative of the divine King and Head of the Church, as well as an intolerable grievance to the Christian people. But the *Scots worthies* of the present age have altogether renounced these avowed principles of their forefathers, whose *sepulchres*, however, they certainly do still *whiten* after the approved example of certain respectable religionists of the olden time; for the main object of the new *Solemn League and Covenant* is

vernment, to use the singularly appropriate phraseology of the day, have most judiciously sanctioned the employment of itinerant ministers of various communions in the Australian colonies, and as such ministers cannot possibly be obtained in sufficient number for the Presbyterian communion from Scotland, it has become a matter of necessity to invite such ministers into the colonial field from other sections of the Presbyterian Church. In fact, the demand for ministers of all the leading communions in these colonies will very shortly far exceed all possibility of supply from the mother country, and the colonists must therefore look for a future and permanent supply to a native ministry. In truth, there seems little probability of making either a powerful or a lasting moral impression on the colony generally, till native ministers of religion are trained up within the colonial territory, and sent forth in all directions over the length and breadth of the land.

Besides the three leading communions I have enumerated, there are several congregations of Wesleyan Methodists in New South Wales, with a congregation of Independents, and another of Baptists, in the town of Sydney. The Baptists and Independents are not numerous, but are increasing. The Wesleyan Methodists, of whom the number is considerably greater than that of either of these denominations, have by no means made so strong an impression on the colony as might have been anticipated. In Sydney, the number of

not only to uphold the system of prelacy, but to perpetuate its worst abuses, whether in the form of English church-rates or of Irish episcopacy.

Tempora mutantur, nos et mutamur ab illis.

their body is not large, considering the time they have been settled in the country, and the strength they have at different periods been able to bring into the colonial field. Out of Sydney, their numbers are inconsiderable. This is certainly to be regretted in a convict colony; for, although I am no admirer of the theological system of that body, I cannot but acknowledge, that many of their number exhibit a warmth of piety and a fervency of zeal, which, although occasionally mingled with extravagance, are relics of the best ages of the Christian Church, and are not always to be met with in other communions. There are evidences, however, of recent improvement in this denomination in the colony. Indeed, the state of torpor into which it had previously sunk, was owing, in great measure, to the prevalence of blighting winds from a quarter I have already indicated; but a fresh infusion of warm blood from the mother country has again begun to warm and to invigorate the system.

A baneful influence has undoubtedly been exerted on the colony from a circumstance to which I have already alluded,—I mean the recklessness with which individuals, who had been sent out to the Australian colonies or to the South Sea Islands as missionaries, and had acted for a time in that capacity with various success, have subsequently quitted the missionary field, and divested themselves of the missionary character altogether; becoming thenceforth mere laymen, and devoting themselves exclusively to secular pursuits. I am no advocate for the Popish doctrine relative to “Holy Orders,” which, it is preposterously conceived by the members of the Romish Church, communicate a new,

a sacred, and an indelible character to the individual, independently of his own moral and religious standing in the sight of God and man ; but I can easily conceive how that doctrine has been distilled, in the Babylonish alembic, from the right feelings of primitive Christianity, in relation to the ministerial character and office. The doctrine of primitive Christianity was doubtless, that the man, who had once borne a commission in the grand army of the Faith, was never afterwards at liberty to quit the service, or to throw down his arms in disappointment or despair. The tenor of the “Sacramentum,”* or *oath* he was supposed to take to his Commander-in-Chief, the Captain of his Salvation, was “that he should yield true and faithful allegiance as a good soldier of Jesus Christ, even unto death ; and that he should be ready to march wherever he was ordered, and to bear arms amid hardships, dangers, and deaths, wherever the Christian banner was uplifted and unfurled ; that he should receive without murmuring whatever allowances, either of food or raiment, should be assigned him ; that his period of engagement should be for life, and his full pay be receivable only after he had fallen in the field.” While such an oath was faithfully kept, as it doubtless generally was in the first ages of the Church, the ministerial character and office were necessarily regarded with a feeling of reverence, which no church dignitary

* The use of this military phrase, which was quite intelligible to an old Roman, but which was afterwards mystified for obvious purposes, doubtless gave occasion to the grand absurdity of the Romish “*Sacrament of Orders*.”

created by a royal *congé d'elire* can ever inspire. In comparison with such a feeling, however, how contemptible is the estimate which the world must naturally form of the individual, who, after having once taken the *sacramentum*, or oath of a Christian minister or missionary, nevertheless feels himself at liberty to throw up his commission whenever it suits his convenience, or to abandon his proper field of labour whenever he finds difficulties in the way ! New South Wales teems with cases of this kind, furnished indiscriminately by all the three societies that have hitherto sent missionaries to the South Seas or the Australian colonies, viz. the Church of England Missionary Society, the Wesleyans, and the Independents or London Missionary Society ; insomuch, that one can scarcely step abroad in the colony without treading on the toes of an ex-minister or missionary. I have already alluded to our ex-missionary graziers, cattle-dealers, and constables ; we have also had ex-missionary grocers and bakers, haberdashers and timber-merchants ;* and the transformation that has thus been effected in so many instances has not only had a

* When a missionary becomes an instructor of youth, especially after long service in the missionary field, I conceive he is still in his proper sphere, and in no way amenable to censure : but the man who trifles with the *sacramentum*, or oath, which a Christian minister or missionary is still conceived to take, to whatever division of the church militant he belongs, and throws up his commission and becomes a layman again from mere motives of convenience, or from the apprehension of difficulties and danger, is a deserter, and deserves to be branded as such by all Christian communities. Much of the evil, doubtless, arises from the facility with which people get themselves transformed into ministers or missionaries in certain quarters.

powerful influence in bringing the ministerial character and office into suspicion and contempt, but has given currency to the scandalous idea, that the profession of a minister of religion, or of a missionary to the heathen, is merely one of the numerous means of gaining a livelihood, which a man may abandon for some other more profitable mode whenever he finds it has not completely answered his views, with as little impropriety as when an unsuccessful medical practitioner becomes a merchant or settler.

There is a Temperance Society in the town of Sydney, with ramifications in other parts of the colony; but the obstacles with which the cause of temperance has necessarily to struggle in a convict colony—a colony necessarily abounding with the victims of intemperance and of its frequent consequence criminality, and so favourable withal for the acquisition of the means of unhallowed indulgence—are too formidable to warrant the anticipation of general or even of considerable success. To have not merely permitted, but encouraged and promoted, the unlimited importation and the general consumption of ardent spirits in a colony established for the punishment and reformation of transported criminals, many of whom had to date their criminality from their first addiction to the vice of drunkenness, was an instance of misgovernment equally gross and inexcusable on the part of the colonial authorities from the first settlement of the colony; and I am doubtful whether the colony can ever recover from its baneful effects, until transportation to its territory ceases and determines. In a new penal colony, to be established to the

northward of the present settlements of New South Wales, the absolute prohibition of the importation and manufacture of ardent spirits, which I consider a measure of indispensable necessity for the good government of such a colony, could be enforced with entire facility. It would be extremely difficult, however, if not absolutely impracticable, to enforce such a measure within the present colonial boundary.

In connexion with the means of religious instruction enjoyed by the colonists of New South Wales, the Bible, Missionary and Tract Societies of the colony deserve to be noticed. I cannot say, however, that any one of these societies has prospered greatly—I mean in elevating the religious tone and feeling of the colony; for, as to the amount of money contributed and forwarded to England, I am by no means disposed to regard achievements of that kind, notwithstanding the self-gratulation and the interchange of votes of thanks to which they annually give occasion among the guinea-a-year subscribers of the colony, as a certain indication of the religious state of the community. Indeed, religious societies are now so much the order of the day, that they have become rather an equivocal test of the real standing of the church in general in any Protestant country, but especially in New South Wales.

It would be unpardonable to conclude this chapter without alluding to the efforts that have hitherto been made, whether on the part of the colonial Government or of the religious public in the mother country, for the christianization and civilization of the aboriginal inha-

bitants of New South Wales. Dispersed over the whole extent of the vast continental island of New Holland, and broken up into innumerable tribes, each inhabiting its own distinct territory and speaking its own barbarous tongue, but all equally ignorant of the very humblest of the arts of civilization—without fixed habitations, without the slightest knowledge of agriculture, without clothing, and almost without mythology or religion—the aborigines of New Holland unquestionably present one of the most striking and at the same time unaccountable phenomena in the history or condition of man. Like a diseased limb amputated from the healthful body of humanity, and thenceforth deriving no well-directed activity from its intelligent head, no warmth and vigour from its beating heart, their existence may be designated a living death, and their continued preservation, perhaps for thirty centuries, in that anomalous state of existence, as almost miraculous.

I should be sorry to countenance the prevalent idea, that the aborigines of New Holland are deficient either in intellectual capacity, or in those feelings and affections that proclaim the relationship of their possessor to the white-skinned and highly-favoured aristocracy of man. On the contrary, the facility with which their children acquire the arts of reading and writing, the shrewd observations they are frequently observed to make in the most artless language on men and manners, and the strong parental and conjugal affection they sometimes exhibit, sufficiently demonstrate, that their intellect, however clouded at present, is nevertheless a latent spark of the same ethereal fire that lights up the un-

derstanding of a European philosopher, and that it is still the warm blood of humanity that is circling in their veins.

The aborigines of New South Wales have suffered deeply from the transportation system, or rather from its past mismanagement, and from the scenes of dissipation and brutality on the part of the convict population of the colony, to which that mismanagement has so frequently given rise. To ask, therefore, why the aborigines have not yet been civilized under the process of *civilization*, forsooth, to which they have thus been subjected for the last forty-nine years, and to condemn them to hopeless degradation because they have hitherto remained obstinately attached to their native habits, is surely most unphilosophical; especially when the civilized man, with whom they have come the most frequently in contact, has been tenfold more a brute or a savage than themselves. To the man, whose truly *romantic* love of liberty disdains the confinement of a house and the encumbrance of clothing, the condition of civilization cannot surely appear by any means attractive, when it subjects so large a proportion of those who belong to it to bondage and punishment, and consigns them often to the lowest depths of moral degradation: for even supposing that the black native could sufficiently comprehend the ground and origin of the palpable distinction which must necessarily subsist in a penal colony between the free and the bond, how is he to understand the *rationale* of such a case as that of a convict sentenced to receive fifty lashes, whether for *laziness*, for *disobedience*, or for *insolence to his master*, when the

probability is that there are not even words for such ideas in his barbarous tongue?

Again, if it should be asked why the aborigines have not yet been christianized, I would ask the previous question, What efforts have ever been made for the accomplishment of that great object, from which success could possibly have been expected by any rational, any Christian man? Towards the close of the year 1835, I drew up a series of papers, under the title of 'Missions to the Aborigines,' for the colonial journal to which I have already alluded, partly to furnish an historical account of the various efforts that had been successively made on behalf of the aborigines from the first settlement of the colony, and partly to point out the causes of the uniform failure of such efforts, and the principles on which missions to the aborigines should be established and conducted. Certain remarks in one of these papers, containing an account of the formation and ruin of a mission established in the year 1825, under the auspices of the London Missionary Society, gave rise to an action for libel at the instance of the individual to whom they referred; and, as I acknowledged the authorship of the obnoxious remarks, the prosecution was transferred from the editor of the Journal to myself individually; and for various reasons, which it is unnecessary to enumerate, I defended the case in person. The trial, of which the reader will find a detailed account, copied from one of the colonial journals, and embodying a retrospective view of the history and fate of the earlier missions to the abori-

gines, in the Appendix, No. 3, lasted for two whole days, and excited intense interest in the colony; the damages being laid at a thousand pounds. At the close of the proceedings, the jury, after having retired for some time, requested to be informed by the judge, whether they could return such a verdict as would leave each party to pay his own expenses; thereby intimating in a sufficiently intelligible manner their general estimate of the character of the prosecution. On being told, however, that no such verdict could be received, they retired a second time, and brought in a verdict of *one farthing damages* for the plaintiff. By that verdict, the expenses of the suit, which were considerably upwards of a hundred pounds, were charged to my account; *but the whole amount was immediately paid by the colonial public.*

The only missions to the aborigines at present in existence are those of Wellington Valley in the interior, and of Lake Macquarie on the coast. The account of the trial already alluded to will afford sufficient information relative to the origin and history of the latter of these establishments, both of which are under the auspices and direction of the Episcopal Church: the former, I am sorry to add, is by no means in a flourishing condition; but what else can reasonably be expected, when sheep and cattle speculations are suffered to be combined, under whatever pretences, with the proper duties of a missionary to the heathen? How very different (to suppose a case in point) should our estimate of the Great Apostle of the Gentiles be, from

what it actually is, were we to find him commencing his Epistles not merely as Paul the Apostle, but as Paul the Apostle and Grazier!

His Majesty's infidel Government (for it is quite refreshing to be called on to enumerate such singular evidences of modern infidelity, so strongly contrasted as they are with the ancient and approved colonial evidences of Tory religion) have recently authorized, and pledged themselves to promote, the establishment of a mission to the aborigines at the settlement of Moreton Bay, to the northward of Sydney, in latitude $27\frac{1}{2}^{\circ}$ south, to be under the management and control of the colonial Presbyterian Church. As missionaries, however, for that very important station could not be obtained from Scotland; and as licentiates of the Scottish Church, even supposing that such licentiates were emigrating with that view, would in all likelihood be invited to undertake the charge of congregations of European origin on their arrival in the colony, and would thus be led to leave the aborigines to their fate, I was induced, in the course of a rapid tour on the continent,—in France, Germany, and Holland,—since my arrival in England in the month of November, 1836, to endeavour to connect the colonial Presbyterian Church, in its future missionary efforts and operations, with the reviving Christianity of Germany. In this endeavour I am happy to state I have hitherto been successful; a licentiate of the Prussian Church, educated at the Universities of Hallé and Berlin, and two natives of Wurtemberg, educated at the missionary college of Basle in Switzerland, having already been engaged as

missionaries to the aborigines of New South Wales, for the proposed settlement at Moreton Bay. In addition to these three clerical missionaries, other ten of the class of schoolmasters, catechists, or general assistants, have also been engaged to accompany them to their destination, and to co-operate with them in their labours. These assistant missionaries are all of the class of artisans, but have all for some time past been under training for missionary labour, under the charge of the Rev. J. Gossner, formerly an Austrian Roman Catholic priest, but now the devoted pastor of the Bohemian Church in Berlin, and a zealous "preacher of the faith which once he destroyed." The proposed mission will be somewhat different in its constitution and mode of management from any that have hitherto been established on the Australian continent; as the clerical missionaries will in all likelihood be recognised as an integral portion of the colonial Presbyterian Church, deriving their support partly from the Government, and partly from the Christian laity of the colony; while the missionaries generally will not be subjected to the capricious management and domination of a Board of Directors in England. Their number, moreover, will afford a stimulus and a salutary check to their whole body; while there is reason to hope that it will serve, under the Divine blessing, to preserve it from that spirit of secularization, which has hitherto proved the ruin of missions to the aborigines of New South Wales.

CHAPTER VIII.

VIEW OF THE STATE OF EDUCATION IN THE
COLONY, WITH AN ACCOUNT OF THE ESTABLISH-
MENT OF THE AUSTRALIAN COLLEGE.

Magnum opus et arduum, sed Deus adjutor noster est.

AUGUSTIN. DE CIVIT. DEI, lib. i. c. 1.

THE consideration that induced me the more willingly to follow the leadings of the good providence of God, in embarking for New South Wales for the first time, was the high idea I had formed of the geographical position of that colony, as affording a fit station for exerting a salutary influence on a numerous and by no means uninteresting portion of the family of man. From the Heads of Port Jackson, the British philanthropist can look to the northward, and westward, and southward, over a vast and untraversed continent, which he knows the all-wise and all-powerful Creator has *made to be inhabited*; and whose hills and valleys, he knows, therefore, will at length teem with a numerous population. To the eastward, the vast Pacific with its myriads of isles, lies outstretched before him; and though the multitudes of these isles are far remote

and unseen in the distance, he feels that that distance is almost annihilated, when his own singular position on the habitable globe reminds him that he is a native of *the land shadowing with wings, which is beyond the rivers of Ethiopia—the land that sendeth ambassadors by the sea, even in swift vessels upon the waters.** To the north, the Indian Archipelago extends far and wide, from the shores of New Holland to the sea of Japan ; and on fixing his eye for a moment on its numerous and populous isles, he almost fancies he already beholds the half-naked and furious Malay *sitting clothed, and in his right mind*, at the feet of Europeans. Adown the vista of these islands, his eye reaches even to the shores of China—that fruitful *womb of the morning*, in which, perhaps, may yet be hidden the future *kings of the East* ;† and as his mind fills with the glowing and sublime ideas which the thought engenders, he almost exclaims, “O, for the lever of Archimedes to elevate the world !”

Soon after my first arrival in New South Wales, it appeared to me that there were three ways in which a person in my own comparatively uninfluential situation might nevertheless be useful in promoting the general welfare and advancement of the colony, and in preparing the way for the future accomplishment of the higher objects to which I have alluded ; viz. 1st, By securing for the Scotch and other Presbyterian inhabitants of the colony, the regular dispensation of the

* Isaiah xviii. 1, 2.

† “Behold, these shall come from far ; and, lo, these from the north and from the west ; and these from the land of Sinim.”—Isaiah xlix. 12.

ordinances of religion, agreeably to the customs and institutions of the Scottish National Church ; 2ndly, By devising ways and means of introducing into the colony a numerous, industrious, and virtuous free-emigrant population of the working classes of society ; and 3rdly, By promoting the establishment of an academical institution for the education of youth in the colony, on the liberal and economical principles of the schools and colleges of Scotland.

I have already detailed the measures adopted for the attainment of the first two of these objects, and the degree in which they have hitherto been attained. On embarking for Europe in the year 1824, I proposed making some effort, during my stay in England, in reference to the third—the establishment of some provision for the general education of youth in the colony ; but from circumstances, of which it is unnecessary to inform the reader, the attempt proved abortive. On returning to New South Wales in January, 1826, I found that an institution, designated *The Free Grammar School*, had just been formed in Sydney, on the plan of various institutions of a similar kind in the mother country ; and a few months thereafter, I was utterly astounded, in common with most of the colonists, at the promulgation of a Royal Charter appointing a Church and School Corporation for the religious instruction and for the general education of the youth of the colony, *on the principles of the Church of England, exclusively*, and allotting a seventh of the whole territory, for that purpose, to the Episcopalian clergy, with free access, in the mean time, to the colonial treasury-chest. It

will scarcely be believed, that so wanton an insult, as this precious document implied, could have been offered to the common sense of a whole community, even by the late Tory administration ; or that men could have been found in the nineteenth century to perpetrate so gross an outrage on the best feelings of a numerous body of reputable men. But so it was ; and the education of the colony thus appeared to have passed completely into other hands, and seemed likely to be little indebted to Presbyterian instrumentality.

The course of the Free Grammar School was short and inglorious. The masters were speedily dismissed ; and the patrons of the institution, who had been at best but a rope of sand, speedily quarrelled with each other, and broke up. By this means, the field of competition was left entirely unoccupied for no fewer than four or five years together ; and during the whole of that period—the period of the high and palmy state of the Church and School Corporation—it was completely in the power of the Archdeacon and the Episcopalian clergy of the colony to have formed a noble institution for the general education of the youth of Australia, with the very crumbs that fell from their Corporation table. Nay, if they had only been possessed of the smallest modicum of common sense, that can reasonably be supposed to be allotted to any body of privileged and chartered individuals ; or if they had even been actuated by those instinctive feelings of self-preservation, that are commonly supposed to be strongly operative in all such bodies of men ; the members of the Corporation might have secured the exclusive predominance of

Episcopacy in the management of the education of the whole colony, for all time coming. But the Venerable the Archdeacon, and the other members of the Church and School Corporation, seem to have been possessed with a spirit of absolute infatuation; which, however, has at length issued in the deliverance of the colony from a yoke which would otherwise have proved intolerable in the end, and would sooner or later have been violently broken asunder during some general burst of public indignation. To think of twelve or fifteen colonial ministers of religion managing for years together to spend public money to the amount of upwards of £20,000 a year, under pretence of providing for the religious instruction and the general education of so small a colony as New South Wales, without providing the colony all the while with a single school in which a boy could be taught the simplest elements of mathematics or the merest rudiments of the Latin tongue—why, the thing appears so monstrous in the present age of light and of learning, that it would have been absolutely incredible, if it had not actually occurred! By one of those strange anomalies, the frequent occurrence of which in all the colonies of the empire evinced the wisdom and beneficence of the late Tory administration, a considerable proportion of the gentlemen who were appointed by Royal Charter to preside over the *department of public instruction* in New South Wales, consisted of persons who had only received the commonest education themselves, and who could not have *axed* their way through a page of Virgil or Homer to save them from the knout. It was accord-

ingly whispered in the colony, that it was the object and design of the gentlemen I allude to, to prevent the youth of Australia from ever rising superior to their own humble level; and that they had wisely concluded this maxim of a distant age to be in every respect suitable for a distant settlement;—"Ignorance is the mother of devotion" to colonial Episcopacy.

I have already stated, that for some time after the institution of the Church and School Corporation, the mere management of that establishment cost upwards of £2000 a year. The present Bishop of New South Wales reduced that monstrous item of expenditure, shortly after his arrival in the colony, to £840 per annum. It should never have exceeded this comparatively smaller amount; it should never have equalled one half of it. Was it expedient, I would ask, to expend hundreds a year for the rent of one of the largest houses in the colony for a Corporation Office, at a time when hundreds of miles of inhabited country in the territory were utterly unprovided with the ordinances of religion in any form? If the use of a room could not have been obtained gratuitously from the Government, why was there not some *upper chamber* hired in Sydney for one-fourth of the actual rent of the Corporation Office, till some decent provision had been made for supplying the spiritual wants of the colony? Again, was it expedient for the Corporation to maintain an expensive establishment of four clerks to keep their petty accounts of a dozen churches and two dozen schools, and to give the first of these clerks a salary of £400 a year, and the rest in proportion, so

long as they were utterly unable to point to a single school in their whole establishment, in which a boy could be taught the Eton Grammar? A single clerk with a salary of £150 per annum, with an assistant to write duplicates, ought to have been quite sufficient to transact the whole business of the Corporation, till the wants of the colony in these most important respects had been properly supplied. In short, with the annual amount which the Corporation ought to have saved on the mere item of management, grammar-schools of a most efficient character might have been established and endowed all over the territory.

But the British public have been told, in a letter published in the Times newspaper on the 22nd of October, 1832, that it was not the fault of Archdeacon Scott—the writer of that letter, and the “magnus Apollo” of the Corporation—that schools of a higher character were not established in New South Wales by the Church and School Corporation of that colony. The Archdeacon, it seems, had written repeatedly on the subject to the Secretary of State, soliciting a fresh grant for the purpose. In other words, after expending £20,000 a year, or thereabouts, in the way and for the purposes I have mentioned, the Archdeacon modestly asks a fresh grant for Episcopal Grammar-Schools! The Right Honourable Secretary, it seems, had more of the article of conscience than the Archdeacon suspected; for he paid no attention to the modest request.

Whether the state of things I have thus described arose from incompetency, from covetousness, or from

inconsiderate extravagance, on the part of those to whom the department of public instruction was so long exclusively entrusted in New South Wales, it is quite unnecessary to inquire. The colonists have at all events learned this important lesson from the past—and it is a lesson which most assuredly will never be forgotten—that the interests of general education in that colony can no longer be entrusted with safety to the colonial Episcopacy.

Towards the close of the year 1829, I happened to receive a letter from the Rev. Dr. Adamson, minister of the Scots Church, Cape Town, South Africa, enclosing a copy of the prospectus of an academical institution then recently formed in that colony, and designated *The South African College*; in the formation of which, it seems, my friend and brother had been somewhat instrumental. With a view, therefore, to recall the attention of the colony to the subject of education, on which there had then for a long period been a deep and general silence, I procured the republication of the South African prospectus in one of the colonial newspapers, in which there were also inserted, at the same time, two anonymous papers I had prepared for the purpose, comparing the circumstances of the colonies of the Cape of Good Hope and New South Wales in a variety of respects, and demonstrating the practicability of establishing an academical institution, (comprising a series of elementary and classical, as well as higher schools) for the general education of youth in the Australian colony, on a plan somewhat similar to that of the South African College. These papers pro-

duced their desired effect, and a strong and general excitement on the subject of education was the immediate result.

It was natural that in such circumstances I should watch the progress of public feeling, and the procedure of those who professed to consult the best interests of the public with extreme anxiety. Observing an advertisement, therefore, in the colonial newspapers, calling an early meeting of the remaining friends of the Free Grammar School, which it was now proposed to resuscitate, I waited on the Venerable the Archdeacon, (now Bishop Broughton) who had then but recently arrived from England, to ascertain whether he intended doing any thing in the way of forming an institution for the general education of youth in the colony, and to inform him, that, as a minister of the Church of Scotland, I should much more willingly join with the clergy of the Church of England in the formation of such an institution, if established on fair and liberal principles, than with the remaining friends of the Free Grammar School, as I neither approved of their principles, from all I knew of them, nor augured much from their past procedure. The Archdeacon told me in reply, that he did propose something of the kind, but that his plans were not sufficiently matured : he gave me to understand, however, that the public would not be called on to support the institution which he meant to establish, as the requisite funds would be supplied by the Government ; and that he himself would, in virtue of his office, be the authorized visitor, although clergymen and laymen of other communions

would be admitted to a share in its general management.

I was induced to augur very favourably of the Archdeacon's proposed institution in the first instance ; but, on conferring on the subject afterwards with certain Presbyterian friends in the colony, who also felt a deep interest in the cause of education, it appeared to us, that however plausible the scheme might appear at first sight, there was no reason whatever to believe that the institution which the Archdeacon proposed to establish would be one in which Presbyterians would be allowed to unite with Episcopalians on equal terms ; and that, on the other hand, although a Presbyterian minister might be allowed an ostensible share in the management, there was every reason to fear that that privilege would be of no practical utility as a counterpoise to the weight of the colonial Episcopacy ; while it was evident, moreover, that any concession which the Archdeacon might be disposed to make on behalf of other communions, could be revoked with the utmost facility by a less liberal successor.

With these impressions, I waited, but without stating my particular object, on the Colonial Secretary, to ascertain, if possible, the sentiments and intentions of the colonial government on the subject of education. I was accordingly informed by that officer, that it was proposed by the Home Government to break up the Church and School Corporation, in so far as that the management of the trust would in future be transferred to the colonial government ; but that all the lands and other revenues, of which the corporation had ob-

tained a grant by royal charter, would still be appropriated for the exclusive maintenance of Episcopalian churches and schools.

With this additional explanatory information, there was no room for hesitation in regard to the course which it was proper for Presbyterians to pursue, with reference to the Archdeacon's scheme. In fact, colonial Episcopacy had already done enough to curtail the privileges and to excite the jealousy of the colonial Presbyterians, to prevent the latter from falling in with any scheme whose obvious tendency was to increase and to perpetuate her exorbitant power, and to reduce themselves to the character of mere puppets in her train. The reader will judge, whether the suspicions, which were thus awakened on the part of the Presbyterians, were not well founded, when I inform him, that, on the publication of the Archdeacon's prospectus some time after, it actually appeared that the system of education in the schools he proposed to establish was to be thoroughly and exclusively Episcopalian.

In the mean time the Archdeacon had left Sydney to visit a distant part of the interior: it was consequently out of my power to have any farther communication with that gentleman on the subject of education at that particular crisis, or to apprise him of the feelings and intentions of my friends and myself; but as the meeting of the friends of the Free Grammar School was drawing on, it was necessary to do something in the matter immediately, to prevent the whole management of the education of the colony from falling into ineffi-

cient or exceptionable hands. I accordingly addressed a memorial to General Darling, who was then Governor of New South Wales ; stating the circumstances in which my friends and myself felt ourselves placed, in regard to the subject of education ; informing him, moreover, that it was our desire to form an Academical Institution of our own on a limited scale, to be conducted on the principles of the High Schools and Colleges of Scotland ; soliciting an allotment of ground for the erection of the requisite buildings ; and pledging myself, that, in the event of His Excellency's granting such an allotment, my own family would advance a thousand pounds towards the erection of the buildings. To this communication I received for answer, that no such allotment as I solicited would be granted, and that the Presbyterians had got enough from the Government already. In short, His Excellency's reply was cold as an iceberg ; but such was his uniform style when Scots Presbyterians had any thing to ask from the priest-ridden Government of their adopted country.

Finding it thus impracticable to form a separate institution, I determined to make common cause with the friends of the Free Grammar School, provided the latter would extend and remodel their institution, agreeably to certain suggestions I took the liberty to propose. The plan of the institution was accordingly remodelled and extended, and I became a shareholder to the amount of £50, the designation being in the mean time changed into that of *The Sydney College*. The time of excitement, the reader is doubtless aware, is always the time for action : as soon therefore as I had become

connected with the new scheme, into which I entered on the same principles on which various non-conformist ministers of religion agreed to take a part in the University of London, I proposed and strongly recommended to the Committee of Management, that the plan adopted should be carried forthwith into effect—a measure which was quite practicable at the time. It is no part of the colonial system, however, to act, after merely resolving to do so. To pass a resolution at a public meeting, and to embody it in action, are two things so entirely different, that they can rarely be accomplished in any business in which direct personal advantage is not to be expected, during the same year. The iron must be allowed to cool before it is struck; and the time for striking, in by far the greater number of instances, is consequently spent before the hammer falls. The foundation-stone of the new institution—whose very existence, as well as its continued prosperity, depended on the keeping up of the strong excitement which had been created in the public mind on the subject of education—was laid with all due solemnity immediately after the meeting at which it was organized; but it was allowed to lie alone, like a solitary egg in a deserted nest, for eighteen months after; and I have every reason to believe, that if a decisive step, which I was consequently induced to take in the mean time, had not roused the dormant energies of its friends into something like exertion, it would have continued in the same lonely and inglorious state to the present day. In short, notwithstanding the formation of the new institution, there seemed just as little prospect as

ever of effecting any thing for the education of the colony; and Episcopacy seemed likely to realize her fond prediction, uttered in the dark days of Archdeacon Scott and the Corporation, "I shall sit as a queen, and see no sorrow."

Despairing, therefore, of the accomplishment of any thing of importance in the cause of general education through the new scheme, I could not help thinking it high time that the education of the colony should be rescued in some measure from the hands of exclusives and incapables. With this view, and in the hope also of obtaining a more extended provision for the dispensation of the ordinances of religion among the Scots Presbyterians of the territory, which it was in vain to hope for through the government of General Darling, I solicited and obtained leave of absence from His Excellency to proceed to England, and accordingly embarked at Sydney in August, 1830.

During my voyage to England, my attention was strongly directed to the subject of emigration to New South Wales, both as a means of alleviating the general distress which was then most extensively prevalent among the working classes in the mother country, and as a means of effecting a great moral reformation in the Australian colonies. On arriving in London, therefore, in the month of December following—the time when rick-burning and machine-breaking were at their height in the agricultural districts of England—I did myself the honour to submit the views I had formed on that subject of national interest, as well as on the means of establishing an academical institution for the education

of youth in the town of Sydney, to a Scotch Earl, to whom I had previously been well known, and to three influential members of the House of Commons, with whose acquaintance I had also been honoured. By these noblemen and gentlemen, I was strongly advised to submit the proposals I had to make on both subjects to the Right Honourable the Secretary of State for the Colonies—a step which I had not even contemplated beforehand.

I accordingly prepared the requisite documents, and called for certain letters of introduction to Lord Goderich, who was then Secretary of State for the Colonies, which I had been very kindly promised by the gentlemen I allude to. By some mischance, however, one of these gentlemen was seriously indisposed on the day I called at his house; another was engaged in parliamentary business of importance; and some accident of a similar kind prevented me from availing myself of the proffered kindness of the third. My business in England, however, required haste; for General Darling had allowed me only twelve months' leave of absence, and had intimated, that unless I returned to the colony within that period, my salary would be discontinued. As I could not, therefore, afford to lose a day, even to procure a letter of introduction to Lord Goderich, I went direct to Downing Street to introduce myself. On my way thither, the streets of London being at the time deeply covered with snow, I met my countryman and friend, the late Rev. Edward Irving, whose heart, I am happy to say, I always found in the right place, whatever the world chose to say of his understanding. I

briefly told him my destination and my errand, and "The Lord be with you!" was his brief and cordial reply. I could not help thinking it a good substitute for a letter of introduction, and I was not disappointed.

The tenor of my communication to Lord Goderich was "that the settlement of reputable persons of the class of mechanics in the colony of New South Wales was (for various reasons, which it is unnecessary to allude to more particularly) highly desirable; and that it appeared to me, that if reputable married mechanics from Scotland were conveyed to the colony on the condition of paying their passage-money by weekly instalments from their wages after their arrival, (which I felt confident many reputable persons of that class would both be able and willing to do,) the object might be accomplished without ultimate expense to any person, and with equal benefit to the mother country and the colony; for, although the frequent attempts of individuals to carry out persons of that class in the capacity of indented servants had almost uniformly failed, that result had arisen in great measure from the masters having given themselves no concern to ascertain the previous moral and religious character of their intended servants, and from their hiring them at a much lower rate of wages than they could otherwise have obtained in the colony—thereby creating a spirit of discontentment on the part of the servants, and holding out to them a strong temptation to break through their engagements."

To establish this point, which I conceived to be of paramount importance to the colony, I proposed to his

Lordship to carry out to the colony a certain number of families and individuals of the class and on the conditions above mentioned ; provided his Lordship would authorize the Governor of New South Wales to advance, on the arrival of the said families in the colony, a loan from the public treasury for the establishment of an academical institution or college in the town of Sydney ; the mechanics so conveyed to the colony to be employed in the erection of the buildings required for the said institution, and to repay the cost of their passage in the manner aforesaid. I did myself the honour at the same time to submit to his Lordship a plan of the proposed institution—the same as has since been realized in the Australian College.

In reply to this communication, his Lordship agreed to authorize the advance of £3500 for the establishment of an academical institution in Sydney on the plan proposed, provided *the promoters of the undertaking* should expend a similar amount for the same purpose ; the buildings to be erected on a piece of ground belonging to the Scots Church, and to be calculated for carrying on the institution on a limited scale, but to be capable of extension if it should be necessary.

In proposing this arrangement to His Majesty's Government, I considered myself pledged, on the part of the promoters of the undertaking, to meet the sum agreed to be advanced by Government with a similar amount on the part of the public. I conceived, indeed, that the colonial public would gladly come forward for the establishment of the proposed institution in the manner required : but I had already had too much ex-

perience in the colony to trust for the accomplishment of so important an object to such a contingency. I well knew that there were men of much influence in our colonial community, who would never give me credit for a disinterested concern for the public welfare ; and who, probably conceiving that my humble exertions might reflect discredit on their own comparative supineness, would in all likelihood endeavour, by every means in their power—by imputing unworthy motives on the one hand, and by misrepresenting my procedure on the other—to divert the stream of popular favour from the infant institution, and thus to crush it in the bud. Foreseeing the possibility of such a result, although I did not by any means conceive it probable, I determined, in the event of its occurrence, to dispose of my own property in the colony, which I knew would sell for at least £3000, and to render every farthing of that amount available for the establishment of the institution, rather than allow the liberality of His Majesty's enlightened Government to be lost to the colony, through the apathy of some and the malevolence of others in our limited community.

After the arrangement above mentioned had been made with His Majesty's Government, Lord Goderich was also pleased to authorize the sum of £1500 of the proposed loan to the institution to be advanced on my arrival in New South Wales ; provided I should convey to the colony a certain number of free-emigrant Scotch mechanics, with their wives and families, to erect the college-buildings, and to pay the stipulated amount of their passage by weekly instalments from their

wages ; and provided, moreover, that no farther advance should be made by Government till an expenditure of £1500 should be incurred by *the promoters of the undertaking* in the erection of the requisite buildings ; the remainder of the loan to be advanced afterwards, in proportion to the sums expended from time to time on the part of the public.

The proposed academical institution was to be established on the plan of the Belfast College—comprising a series of elementary schools with a gradually extending provision for the higher branches of education. At the outset, it was proposed that there should be a principal and four masters or professors—one for English, one for mercantile education, one for Latin and Greek, and one for mathematics and natural philosophy—assistant or under-masters to be appointed for the elementary classes, as soon as the funds of the institution and the wants of the colony should warrant that appointment. The Rev. Henry Carmichael, A.M. was accordingly engaged for the classical, the Rev. William Pinkerton for the English, and the Rev. John Anderson—all licentiates of the Church of Scotland *—for the mercantile department ; it having been previously arranged that the mathematical and physical department should be conducted by the Rev. John M'Garvie, A.M., formerly minister of the Scots Church, Portland Head.

* It is no part of the constitution of the Australian College that the masters or professors should belong exclusively to the Church of Scotland : but Presbyterians are generally found to do literary and other clerical work at a cheaper rate than other people ; and this is a consideration of importance in a young colony.

During my stay in England, I also procured books, with a view to the formation of a college-library, to the number of seventeen hundred volumes, together with a valuable and extensive philosophical apparatus, and numerous specimens of minerals, &c. to illustrate lectures on mineralogy and zoology. The gentlemen I have mentioned, together with two additional ministers of the Church of Scotland, for whom Lord Goderich had allowed salaries from the colonial revenue, for the districts of Bathurst and Hunter's River, embarked on board the Stirling Castle, at Greenock, along with the Scotch mechanics who had been engaged to erect the college-buildings, and their wives and children, on the first of June, 1831, and arrived at Sydney on the 13th of October following.

The college buildings were commenced on the 21st of October, and classes were opened, in a building hired for the purpose, on the 15th of November, 1831. In the mean time, the various arrangements already detailed, together with a plan of the institution, were submitted to the public, and the countenance and support of the friends of education throughout the colony respectfully solicited. In consequence of these publications, and of the private exertions of several friends of the undertaking, about a hundred shares of £25 each were speedily taken in the institution by gentlemen in Sydney and in other parts of the colony. It was not, however, till the 23rd of December following, and till an expenditure of upwards of £700 had been incurred for the erection of buildings, in addition to the amount for books, apparatus, &c. previously incurred

in England, that a general meeting of the friends of the undertaking was held, and a college-council appointed by the shareholders to undertake the management of the institution, agreeably to the arrangements I had made with His Majesty's Government, which were embodied in the following series of resolutions passed at the meeting :—

AUSTRALIAN COLLEGE.

A Meeting of the Shareholders of this Institution, and of other friends of education in Sydney and its vicinity, having been held this day, in Mr. Underwood's Buildings, Church Hill, pursuant to advertisement, Campbell Drummond Riddell, Esq., M.C., Colonial Treasurer, in the chair, the following Resolutions were unanimously adopted as the basis of the future constitution :—

I.—That an Academical Institution be formed in Sydney for the Education of Youth, in the higher as well as the Elementary Branches of Useful Knowledge.

II.—That the said Institution be designated "The Australian College," and be available for Pupils or Students of all religious denominations, on the most moderate terms.

III.—That a capital of at least £3500 be raised in shares of £25 each, payable by instalments, for the establishment of the said College; and that as the Right Honourable Lord Viscount Goderich, His Majesty's Principal Secretary of State for the Colonies, has been graciously pleased to grant a loan of £3500 from the Colonial Treasury, to assist in accomplishing so desirable an object, on condition that a similar amount shall previously be expended on the part of the public, the sum of £3500 shall accordingly be raised, and applied in erecting the requisite buildings, and in meeting the other expenditure already incurred, provided such expenditure shall be found conducive to the general object of the Institution.

IV.—That each shareholder be a proprietor of the College, and be

entitled to vote at all General Meetings of Proprietors, in the proportion of one vote for every share he may hold ; but that no proprietor shall have more than five such votes, whatever number of shares he may hold.

V.—That the government of the College shall be vested in a council of thirteen, twelve of whom to be annually chosen by the whole body of proprietors, and the thirteenth to be a member of such council in right of office, as hereinafter to be stated ; any proprietor being eligible as a member of council, and five members to constitute a quorum.

VI.—That the said council shall have the exclusive management and disposal of the funds of the College, and the entire control of all matters relative to the erection of buildings, the appointment of masters, the amount of salaries, the regulation of fees, and the purchase of property, books, or apparatus for the College ; and that the said College Council shall submit a statement of their accounts, and a report of their proceedings, previous to their laying down their office, at the annual meeting of the proprietors.

VII.—That the College shall, in the first instance, comprise the four following departments, viz.

1. An English Department, for English, and English Literature.
2. A Mercantile Department, for Writing, Arithmetic, Book-keeping, &c.
3. A Classical Department, for the Latin and Greek Languages,—and
4. A Mathematical and Physical Department, for Mathematics and Natural Philosophy : the establishment of the College to be gradually extended, according to the state of the funds and the wants of the colony ; but to include, from the outset, under one or other of these departments, provision for the instruction of pupils in the French, Italian, and German Languages.

VIII.—That each of these departments shall be entrusted to a separate master with the designation of Professor ; to each of whom a free house, capable of accommodating a few boarders, and a salary of £100 per annum, shall be given on the part of the College.

IX.—That moderate fees shall be paid by each pupil or student in the said College, varying in amount according to the classes he attends ; a certain portion of which shall be appropriated to the respective masters, independently of the salaries above mentioned ; the remainder to form a College fund, for the payment of salaries, the extinction of debt, &c., and for securing a dividend to the proprietors, under certain limitations to be fixed hereafter by the council.

X.—That there shall be a Principal of the said College, who shall also be

a professor, having the management of one or other of the departments of education comprised in the Institution, and being elected by the College Council ; and that the said principal shall have the general superintendence of the internal affairs of the Institution, especially in regard to morals and discipline, making provision for the due observance of the rules of the College, and forming the medium of communication between the professors and the council, of which he shall be a member in right of office.

XI.—That the principal and professors shall constitute a senate for the regulation and management of all matters relative to the business of education, the enforcement of discipline, the division of labour, and the superintendence of the library and museum ; and that the principal shall have a casting vote at all meetings of the senate.

XII.—That the senate shall meet once a month, the council once a quarter, and the general body of proprietors once a year ; but that extraordinary meetings may be held on any occasion of emergency ; viz. of the senate, on the requisition of the principal—of the council, on that of the chairman, or of any three members—and of the general body of proprietors, on that of ten proprietors.

XIII.—That the business of each day be commenced and closed with an appropriate prayer—that the Holy Scriptures be read regularly in the English classes—and that instruction in the general principles and duties of the Christian religion be afforded at stated times ; as, for instance, every Saturday, at the close of the ordinary business of the week : but that no attempt be made, either directly or indirectly, to proselytize to the tenets of any particular denomination of Christians ; and that those pupils or students, whose parents or guardians may object to their receiving religious instruction at all, be allowed at all such stated times to withdraw.

XIV.—That the Rev. John Dunmore Lang, D.D., be the principal of the said College, but without emolument, and without any active share in the business of education, until the completion of the arrangements into which he has entered with His Majesty's Government for the establishment of the said College ; as also with certain Scotch mechanics, for the erection of the requisite buildings ; and with certain parties in England, for the payment of books, apparatus, &c. ; on the completion of which arrangements he shall surrender the said office into the hands of the council.

XV.—That the following Gentlemen be the Council of the Australian College till the next General Meeting :—

Campbell Drummond Riddell, Esq., M. C., Colonial Treasurer.

Richard Jones, Esq., M. C.

Alexander Berry, Esq., M. C.

Major Mitchell, Surveyor General.

Captain Perry, Deputy Surveyor General.

Thomas Walker, Esq.

Thomas Barker, Esq.

Robert Campbell, Jun., Esq. (Bligh Street.)

James Chisholm, Esq.

David Ramsay, Esq.

T. Burdekin, Esq.

Rev. Dr. Lang, *ex officio*.

XVI.—That John Wallace, Esq., be the Treasurer of the Australian College.

XVII.—That the thanks of the Meeting be given to C. D. Riddell, Esq. for his able, zealous, and judicious conduct in the chair.

Sydney, December 23, 1831.

In the mean time, that which neither common sense nor a sense of public duty had been able to accomplish, was at length effected through the operation of other feelings, which it is not difficult to divine ; for, as soon as it was reported in the colony that I was about to return from England with an extensive literary, mechanical, and physical apparatus, for the establishment of a new institution, the foundations of the Sydney College were laid. The successful issue, however, of my voyage to England, and the successful establishment of the Australian College, were deemed by certain parties connected with that institution, whose public spirit had at length begun to revive after a second torpor of two years' continuance, offences of so peculiar an enormity, as to leave felony itself without benefit of clergy far in the shade. An emancipist who had just been liberated from the Sydney jail, where he had been confined for some time on a charge of fraudulent bankruptcy, harangued

a meeting of the friends of the revived institution, shortly after my return to the colony, and expressed himself in the highest terms relative to the plan and prospects of the Australian College; but informed the meeting, that I had completely forfeited the esteem of the *virtuous and respectable* portion of society, in having obtained assistance from the Home Government, as he presumed I had done, by calumniating himself and his friends to Lord Goderich. On this and a variety of other charges equally frivolous and equally unfounded, changes were rung at my particular expense, by various orators of still higher respectability, from meeting to meeting and from month to month; and every foul and slanderous invective that was uttered on these occasions was carefully reported in the colonial newspapers. Nay, private letters, which I had written to a countryman of my own in the colony, relative to the settlement of the Scots Church seven years before, were zealously placed in the hands of a gentleman connected with the resuscitated institution, that he might pick out of them and publish in the newspapers any paragraph or expression, which, he hoped, might create an unfavourable impression relative to myself on the public mind; and the contemptible suggestion was as contemptibly followed.

After having been subjected to this species of assault and battery, which was kept up for the express purpose of injuring the institution I had been instrumental in establishing, for more than twelve months, it struck me that it would not be improper to attend one of the meetings of the parties connected with the revived institution; to confront the persons who had so frequently

accused me ; to offer an explanation of those parts of my procedure in the matter of education which had repeatedly been held up to the public as extremely disreputable, and to answer any question they might think proper to ask ; as it did not appear to me that the cause of general education in the colony was likely to be advanced by the continuance of such procedure as I had so long and so undeservedly experienced. I attended accordingly, and I could not help perceiving that my appearance was regarded much in the same light as that of an apparition—so much easier is it to slander and to tell lies of a man behind his back than when he is present to answer for himself ;—but a young colonial lawyer, who was present, having very judiciously observed that “ the explanations I proposed to offer were not likely to benefit the institution whose concerns they had met to consider,” it was resolved that I should *not* have an opportunity of answering for myself. I was not troubled, however, with any farther vituperation, either in the newspapers or at public meetings ; but while I could not help feeling thankful at the time to Almighty God for having delivered my friends and myself from the people with whom we had for a short period been connected in the matter of education, I could not help feeling more strongly disposed, as I felt the necessity more urgent than ever, to make every sacrifice and every exertion that the education of the colony might be placed in other hands.

The procedure I have detailed could not fail to operate most unfavourably for the popularity of the insti-

tution with which I had the honour to be connected, and to increase the serious difficulties of the situation in which I was individually placed. It is so much easier to create an evil than a good impression respecting any person or cause ; and there are so many people in the world ready to believe without examination whatever they hear, especially if it is of an unfavourable character, that whoever in such circumstances has nothing to lean upon but popular favour, will soon find that he leans upon a broken reed, which will pierce his hand. There was another fiery ordeal, however, of a much more formidable character to pass through, before the Australian College could be successfully established.

The cry of distress from the agricultural districts of the mother country was so loud and piercing on my arrival in England in December, 1830—and the impression on my own mind relative to the prosperity and abundance enjoyed by all classes in New South Wales was so fresh and vivid—that, in consequence of some remarks on the subject of emigration to the Australian colonies, which were made by my Lord Howick in the course of a conversation which I had the honour to hold with his Lordship in Downing Street, I took the liberty to address a letter to Lord Viscount Gode-rich, pointing out the means of conveying thousands of the distressed agricultural population of Great Britain, without expense to the mother country, to the colony of New South Wales ; where, I was confident, their arrival would be hailed by all classes, and where there was employment in abundance, and bread for all. The sources, from which it was proposed to raise a revenue sufficient

for the accomplishment of this important national object were,—1st, the progressive sale of numerous allotments of building-ground belonging to Government in the town of Sydney; of which, although worth much more than double that amount now, I estimated the probable value at the time at not less than £200,000; and, 2nd, the resumption and sale of the lands granted on certain unfulfilled conditions to the Church and School Corporation of New South Wales. In describing the second of these sources of revenue, I had used the following language:—

“Your Lordship is doubtless aware, that in the year 1825 a Corporation was established by Royal Charter in the colony of New South Wales, to which a seventh of the whole territory was granted for the support of the Episcopal Church and Schools of the colony, on the avowed understanding that the said grant would immediately and for ever relieve the colonial government of the burden of supporting these establishments. Your Lordship is doubtless aware also, that that Institution has utterly failed of its intended object; the Corporation having actually borrowed from the colonial government at the rate of from £19,000 to £22,000 per annum for the support of the Episcopal Church and Schools of the territory, while the mere cost of its management, exclusive of the salaries of clergymen and schoolmasters, has hitherto been from £1500 to £2000 per annum—a sum considerably greater than is annually expended for the management of all the Church and School affairs of His Majesty’s ancient kingdom of Scotland.

“ But the Church and School Corporation of New South Wales has been productive, my Lord, of still greater evils to the community at large, than any arising from the mere expense of its management. It has tended to identify the Episcopal clergy, in the estimation of the whole colony, with secular pursuits : it has given extreme dissatisfaction to many respectable emigrants, who have had to go far into the colonial wilderness with their families, in search of land to settle on, while numerous tracts of land, of the first quality, were lying utterly waste in the most accessible and eligible situations, in the hands of the Corporation : it has excited a spirit of disaffection towards His Majesty’s Government among the native youth of the colony ; and I will even add, my Lord, has sown the seeds of future rebellion. In short, the Church and School Corporation of New South Wales, instead of proving a benefit either to the Government or to the Episcopal Church, as its projectors unfortunately persuaded His Majesty’s Government it certainly would, has lain as a dead weight on the colony for the last five years—repressing emigration, discouraging improvement, secularizing the Episcopal clergy, and thereby lowering the standard of morals and religion throughout the territory.”

My letter to Lord Goderich was published on my return to the colony in a pamphlet, containing an “account of the steps taken in England with a view to the establishment of an academical institution or college in New South Wales, and to demonstrate the practicability of effecting an extensive emigration of the

industrious classes from the mother country to that colony ;” for it never occurred to me, that any remarks I had made in that letter, relative to the character and tendency of the Church and School Corporation scheme, were likely to be construed into a personal attack on the individuals who were accidentally, and, as I conceived, unfortunately connected with that system of legalized folly, extravagance, and injustice.

My letter, however, gave prodigious offence to the Venerable the Archdeacon,* who accordingly addressed a long letter on the subject of its alleged misstatements—containing a feeble defence of the Corporation, and a series of intemperate charges against myself—to Colonel (now Sir Patrick) Lindesay, who was then Acting Governor of New South Wales, with a view to its immediate transmission to Lord Goderich. This letter was signed by the Archdeacon himself, and by my countrymen Mr. M’Leay, the Colonial Secretary, and Mr. Lithgow, the Auditor-General, as Commissioners of the Corporation ; the management of that institution having in the mean time been transferred to the Archdeacon and certain lay commissioners. It is the customary and established etiquette of the colonies to send a copy of any charges of this kind to the person against whom they are exhibited, in sufficient time to enable him to forward his explanation or reply to the Secretary of State for the Colonies by the same opportunity by which the letter of crimination is transmitted against him ; and the violation of that etiquette by a certain

* Now Bishop Broughton.

military officer in the colony, during the government of General Darling, occasioned his being cashiered by the Commander-in-Chief, pursuant to the sentence of a court-martial. I was not favoured, however, with a copy of the Archdeacon's letter *till four days after the vessel in which it was transmitted to the Secretary of State for the Colonies had sailed for England*; and it so happened, that no other opportunity of writing home presented itself for about two months after. But my venerable brother was doubtless very angry, and perhaps thought he might well disregard the ordinary and established forms of justice, in his eagerness to procure the condemnation of an obnoxious Presbyterian minister.

In consequence of this proceeding, and agreeably to my own anticipations, the first vessel from England brought me a letter of censure from my Lord Goderich for the publication of my letter to His Lordship: but whether I ought to consider the censure of the Right Honourable Secretary, passed in such circumstances and procured by such means, at all discreditable to myself as a minister of religion, or whether there was any thing in the passage above cited from my letter to His Lordship, to call forth such censure at all,—the reader will doubtless determine for himself.

I wrote a reply to the Archdeacon's letter, which was forwarded to the Secretary of State by Major-General Sir Richard Bourke, to whom it was addressed, and who had arrived in the colony before the next vessel sailed for England. I shall take the liberty to subjoin the concluding paragraphs of that reply, relative to the

concluding paragraph of the Archdeacon's communication ; from which the reader will perhaps be able to estimate the spirit in which they were severally written :—

“In the conclusion of their letter the Commissioners express themselves in the following manner relative to myself:—‘Embarked in an undertaking in which he felt it impossible to succeed, without degrading the Established Church in his Lordship's estimation, he has preferred charges against the Corporation, in that loose style which bespeaks a man resolved at any rate to injure the object of his envy and dislike ; with the blind animosity of a political partisan, rather than with the scrupulous attention to truth and candour, becoming one who claims to bear a reverend and sacred character.’ In reference to this statement, I beg to inform Your Excellency, that the undertaking in which I had embarked on leaving the colony in August, 1830, and in which I had hazarded a voyage to England, and risked all the little property I possessed, was embarked in to supply the want of an academical institution in Sydney, to afford the youth of this colony a liberal, efficient, and economical education—a want, which had long been universally acknowledged throughout the colony, but which the Church and School Corporation, notwithstanding its vast resources and its superior facilities for the accomplishment of the object, had neglected to supply. Arriving in England with this object, I had scarce touched British ground, when my ears were stunned with the loud and heart-rending cry of distress from an unemployed and starving po-

pulation, maddened by their necessities to acts of violence and crime ; and on arriving in London, and ascertaining that His Majesty's Ministers were employed in devising ways and means for conveying a portion of that population to the waste lands of the Colonies, it immediately occurred to me, that in the colony of New South Wales there were sources of revenue directly available for that purpose to a very large amount in the Crown-allotments of Sydney, and the lands granted to the Church and School Corporation ; and that the raising of a revenue from these sources for such a purpose would prove a blessing of incalculably greater value to the colony, than was ever likely to result from the continuance of the Church and School Corporation. With these views was my letter to my Lord Goderich written ; and, in attestation of the fact, as well as of my own sincerity in the matter in question, I have only to refer Your Excellency to the circumstance of my having since conducted, at very great personal inconvenience and expense, an expedition of one hundred and forty free emigrants to this colony, solely with a view to demonstrate the practicability of effecting an extensive emigration of the industrious classes from the mother country to New South Wales without expense to either ; and from the successful issue of that expedition, and the calculations into which it necessarily led me, I am confident, that if the plan I had the honour to submit to my Lord Goderich were carried into effect, not fewer than twenty thousand and upwards of the poor and unemployed, but virtuous agricultural labourers of England, might, in the course

of a very few years, be conveyed with their wives and families to New South Wales, without expense either to the mother country or to this colony. And when Your Excellency considers of what materials the population of this colony has in great measure been formed for the last forty years, I can submit it to Your Excellency with entire confidence, whether the introduction of such a population, to amalgamate with the present inhabitants of the colony, and to people and improve the extensive tracts of highly eligible land which the Church and School Corporation has hitherto suffered to lie waste in all parts of the territory, is not a consummation incomparably more desirable than the existence and continuance of that institution.

“ In the passage above quoted, as well as in the whole course of their letter to the Acting Governor, the Commissioners have evidently fallen into the palpable error of identifying the character and efficiency of the Episcopal Church in this colony with the character and efficiency of the Corporation, and have therefore gratuitously accused me of cherishing a spirit of hostility towards the former, merely because I had recommended to the Right Honourable the Secretary of State for the Colonies the entire and immediate abolition of the latter. But while I broadly disclaim every feeling of hostility towards the Episcopal Church in this territory and towards any of its ministers, and maintain that there is no evidence of such a feeling in my letter to my Lord Goderich, I have no hesitation in repeating, what I asserted in that letter; that the Corporation has evinced

itself inefficient in its character, expensive in its management, and prejudicial in its tendency both to the Episcopal Church and to the colony at large.

“ In regard to the insinuation, that I ‘ felt it impossible to succeed in the accomplishment of my object, without degrading the Established Church of the colony in his Lordship’s estimation,’ I beg most explicitly to disavow every such feeling, every such intention. As I do not feel it requisite, however, to express my own sentiments in regard to the spirit which that insinuation itself evidently breathes, I beg leave to subscribe myself, &c. &c.”

In an ordinary affair of honour, I believe it is not allowable for the man who has been beaten by his adversary with the weapon of his own choice, to demand a different sort of weapon that he may have a second chance; much less is it allowable to shoot his adversary, when off his guard and unprovided with the means of defence, from behind a hedge or stone wall: but clerical affairs are not to be judged of by the laws of honour. *The end sanctifies the means*, is a maxim as old as the venerable Ignatius of Loyola. The benefit to be derived by the Church justifies the grossest injustice. Whether the Archdeacon deemed his written vindication of the Church and School Corporation unsuccessful in point of argument, I do not know; at all events, he deemed it requisite to have me publicly subjected to a different species of infliction, under which I should be utterly unable to avail myself of the noble art of defence. Accordingly, as a member of the Legislative Council of the colony, to whose deliberations no

strangers are admitted, he proposed, in the absence of the Governor and of certain other members, who, I have reason to believe, would not have sanctioned so anomalous a proceeding, that a vote of censure should be passed upon me for the statements in my letter to Lord Goderich relative to the Church and School Corporation, and the Episcopal clergy of the colony; and the vote was accordingly passed on the 15th of March, 1832, and published to the following effect in all the newspapers of the colony:—

“Resolved, That His Excellency the Governor be requested to communicate to the Right Honourable the Secretary of State the opinion of this Council, that the charges against the Protestant Episcopal clergy of the colony, contained in the letter addressed by Dr. Lang to Viscount Goderich, were unfounded and unwarrantable; and that the publication of the same was a highly improper and censurable act.”

It was doubtless unseemly in itself, as well as directly repugnant to the principles of English law, for the Arch-deacon and the Colonial Secretary (for I believe the Auditor-General did not vote) to sit in judgment on my letter, or to express any opinion respecting it, as members of the Legislative Council, after having made themselves parties in the case to which it referred, by transmitting a formal complaint, on the subject of its alleged misstatements, to the Secretary of State. Besides, instead of specifying the particular statements in my letter which they held “unfounded and unwarrantable,” as it was incumbent upon them to have done, especially when the public expression of their opinion

was calculated to affect my reputation as a minister of religion, the Legislative Council merely passed a general and sweeping sentence of condemnation, the injustice of which was exactly proportioned to its vagueness and generality. But if the Legislative Council had really been desirous of ascertaining the truth in regard to the statements of my letter, they would have called for an explanation in the first instance, or for the production of evidence on the subject of these statements ; but in condemning me unheard and without even the shadow of investigation, they left it to be inferred that their object was not the assertion of truth, but individual oppression. In short, the proceeding was in every respect anomalous and unjustifiable ; and I cannot help expressing my opinion, that even supposing that the members of the Legislative Council had all been disinterested in the case, that the charge they had preferred against me had been direct and specific, and that they had been able to substantiate that charge by unexceptionable evidence,—it would still have been a gross violation of the liberties of the subject, for a mere legislative body to erect themselves into a Court of Inquisition, and to sit in judgment on the moral character and veracity of a private individual. If I had either been *a robber of churches or a blasphemer of their goddess*—the Church and School Corporation, whose *image*, I presume, *fell down from Jupiter*, along with that of *Diana of the Ephesians*—was the *law not open*? were there not *deputies or judges, before whom the matter might have been inquired into and determined in a lawful assembly*?

For the members of the Legislative Council of New

South Wales I entertain all that dutiful respect which a Christian man is bound to cherish for the rulers of his country, independently of their personal desert: but I should be giving these gentlemen a great deal too much credit, to suppose them at all capable of fixing a proper standard of clerical propriety and of clerical disinterestedness in a convict colony. When the ideas of the Archdeacon himself on that most important subject were so exceedingly confused, that he could not even perceive the impropriety of charging the public £30 for travelling expenses* after receiving a salary of £2000 a year; what could be expected of a few sheep-farmers, a few Sydney merchants, and a few civil officers of the colonial government, transformed into legislators, but that they would argue in this style, "What is generally practised cannot be wrong?" The details I have already given in a previous chapter, will perhaps convince the reader that the statements in my letter to my Lord Goderich were neither *unfounded* nor *unwarrantable*.

As to whether a passage incidentally introduced in a letter, obviously written to promote the best interests of my adopted country, and to point out the means of relieving the mother country of a portion of her distressed population, was the only particular either in my conduct or writings that deserved the notice of the Legislative Council of New South Wales, I am not competent to decide. I feel confident, however, that my own humble efforts to promote the intellectual, the moral, and the spiritual welfare of that colony, will be

* This item was actually inserted in the public accounts of the period.

estimated in a very different manner, when the members of its Legislative Council shall have ceased to vote, and the individual who now appeals from their censure, to be affected by their opinion.

The opinion of the Legislative Council, and the vote of censure to which it led, were no dead letter to me. At the time when the vote was passed, and published in all the newspapers of the colony, there were from fifty to a hundred reputable individuals, whom I had carried out from Scotland to the extremity of the earth, looking to me every Saturday evening for the wages of their labour, earned in the erection of buildings for the education of the long-neglected youth of the Australian colonies; while the weekly supply of funds for the carrying on of so extensive an undertaking depended entirely on my own personal credit and the favour of the public, both of which the vote of the Legislative Council tended almost completely to destroy. A friend of my own in the colony* had endorsed bills of my acceptance to the amount of £1000, for the carrying on of the undertaking, till the funds of the institution could be rendered available for the purpose. Immediately after the passing of the vote of censure, I received a pressing requisition from my friend for tangible security, as my name alone was no longer deemed sufficient: I accordingly gave him a security on my dwelling-house, but caused the house to be advertised for sale forthwith. It was sold accordingly in a few weeks after, and realized, together with some build-

* Thomas Barker, Esq., of Sydney.

ing-ground adjoining it, £2250. I had thus the satisfaction of very soon seeing my friend entirely out of danger. The house was situated on the summit of the ridge that separates the two beautiful coves or inlets of the harbour of Port Jackson, around which the town of Sydney is built: it commanded a view of the harbour as far as its noble entrance in front, and of the interesting lake-scenery in the upper part of it in the rear. I had laid my account to live and die in it; but he who is called in the good providence of God to struggle with principalities and powers, on behalf of his fellow-men in the colonies, must learn to do violence to his own feelings on occasions of emergency, and even *to take joyfully the spoiling of his goods.*

There was other property in the town of Sydney, belonging partly to myself and partly to other members of my own family, to the amount of upwards of £2000, which was also brought to the hammer for a similar purpose in the course of the same protracted struggle: for as the number of mechanics necessarily employed at the College Buildings rendered a large expenditure absolutely necessary on the one hand, it was found on the other that no part of the public funds allotted by Lord Goderich for the carrying on of the undertaking could be procured for a whole twelvemonth after its commencement. The funds I allude to were to be advanced by instalments, provided that an equal amount should have been previously expended by the promoters of the undertaking; security to be given to the Government on the College buildings for the ultimate

repayment of the advance at the expiration of five years. The buildings, however, were erected on ground belonging to the trustees of the Scots Church, and it was determined by the Crown lawyers of the colony that the latter could not give a security till they were empowered to do so by an Act of Council: but an Act of Council was not easily procurable; and, as it was necessary in the mean time to obtain funds from some quarter or other to carry on the work, the trustees of the Scots Church offered personal security for the due execution of the mortgage, as soon as its execution should be practicable. The Legislative Council, however, being constituted judges in regard to the sufficiency of the security, would not be satisfied with any thing *but the bond*. The bond was at length prepared by a private solicitor, and cost twelve guineas; but as His Majesty's Attorney-General, John Kinshela, Esq.* refused to examine it on behalf of the Legislative Council, of which he was a member, unless I sent him a fee, I sent him five pounds. I regret exceedingly that the sum was so small, (although it was more than I could well afford at the time;) for the honourable gentleman's salary, as a Crown lawyer, was only £1200 a year.

It will not excite any surprise on the part of the reader, that even the gentlemen chosen to manage the Australian College, and the shareholders in general, should have been somewhat influenced by the strange and anomalous proceeding of the Legislative Council,

* Now one of the puisne judges of the colony.

or rather by the state of feeling in certain influential quarters, in which that proceeding had originated. To be placed under the ban of the colony—to be publicly stigmatized by the highest authority in the country as a setter-forth of *unfounded and unwarrantable statements*, or, in plain English, as *a liar*, was but a sorry recommendation for any person so completely identified with the establishment and progress of an Academical Institution as I had then the honour to be. Accordingly, certain of the gentlemen connected with the management of the College became very cool on the subject, and certain of the shareholders invented a variety of excuses to obviate the payment of their subscriptions. The College Council finding, therefore, that they could not easily meet the full amount of the sum to be advanced by the Government, resolved to discontinue the buildings when only half the extent originally agreed on had been erected, to get rid of the mechanics before they had fulfilled their engagement, to reduce the institution to one half the extent originally proposed, and to accept only of such part of the amount to be contributed by the Government as might equal the exact amount of the subscriptions realized. This, however, was a state of things of which I had foreseen the possible occurrence from the very first, and for which I had accordingly provided a *dernière ressource* in the sale of my own property: I therefore felt myself called on to give the gentlemen I refer to distinctly to understand, that unless the plan originally sanctioned by Lord Goderich were strictly adhered to, and the buildings carried on to the extent originally agreed on, and the

mechanics retained for the erection of these buildings in pursuance of their original agreement, the trustees of the Scots Church, on whose behalf I was authorized to act in the case, would by no means give up their right to the ground on which the buildings were erecting, and which they had previously agreed to surrender, on the understanding and condition that the plan above mentioned should be carried into full effect. In short, as every attempt to subvert the institution from without had completely failed, it was not difficult to perceive that there was influence employed somewhere to reduce it to a state of comparative inefficiency and insignificance; and in such circumstances, it was evidently my duty to counteract that influence by every available means. Nay, at a meeting which was held during my own absence in the discharge of clerical duty in the interior, certain of the other gentlemen connected with the management of the College were actually told, on good authority, that the Archdeacon would have no objection to unite with all of them, but would have nothing to do with Dr. Lang; or, in other words, provided I could have been got rid of, the Archdeacon would not have been unwilling to place himself at the head of an institution which I had sacrificed all my property and risked my life to establish. If this should be considered rather an equivocal mark of brotherly kindness, it was at least a satisfactory evidence of the respectable character of our infant institution.

To carry on the undertaking in the midst of so much discouragement and so much opposition, both open and concealed, was no easy task. It almost drove me to my

wits' end ; and the effort to conceal the violent and distressing emotions, with which I was inwardly agitated for months together, was almost too great for a naturally strong constitution to undergo.* But to use the language of the Christian Father, whose words I have prefixed as a motto to this chapter, "The work was great and arduous, but God vouchsafed assistance." That assistance was sometimes supplied from quarters from which I could never have expected it ; and on several occasions, after experiencing a degree of coldness amounting almost to insult from individuals of the wealthier classes of society in the colony, I received unsolicited assistance, accompanied with the warmest expressions of friendly encouragement, from persons in the humbler walks of life, both free emigrants and emancipists.

The founding of an academical institution for the education of youth, in a colony so singularly constituted as that of New South Wales, was an object of too much importance to the community at large, to suppose that it could possibly have been accomplished by the parties connected with the establishment of the

* During the progress of the undertaking, I happened one day to light upon a passage in *The Scots Worthies*, which appeared to indicate a state of things somewhat similar to the one I had myself experienced. It occurs in the life of the eminently pious and learned Samuel Rutherford, and relates to his connexion with the establishment of a Divinity College at St. Andrew's, in the seventeenth century ; in which, it seems, he had not only taken an active part, but experienced much difficulty and opposition. "This New College," says Mr. Rutherford repeatedly in the passage I refer to, "will break my heart." The coincidence of circumstances, in situations so very different and so very remote from each other, struck me very forcibly at the moment.

Australian College, without giving offence in some quarter or other: but the success which has already attended the institution, notwithstanding every discouragement, amply compensates for this temporary evil, while it affords to myself at least no small consolation under all the difficulties that have hitherto been experienced in effecting its establishment. Although these difficulties were unexpected, in as far as regarded the particular form they assumed, I was neither unprepared for the occurrence of great difficulties in the undertaking, nor disposed to regard them with despondency. Having been engaged in a somewhat similar struggle for the settlement of the Scots Church in Sydney, shortly after my first arrival in the colony, I was led, from the experience I obtained of the general procedure of the Providence of God in the course and from the issue of that struggle, to record the following sentiment in a pamphlet published at the time in the colony; and I have since had no reason to alter my opinion:—"In any undertaking in which I may be engaged in future for the glory of God or the benefit of man, I shall esteem opposition and discouragement in the outset as the best earnest of prosperity in the end; *for he that goeth forth and weepeth, bearing precious seed, shall doubtless come again with rejoicing, bringing his sheaves with him.*"

The portion of the Australian College Buildings now erected contains a commodious residence for each of the four head-masters or professors of the institution, with highly suitable accommodation for not fewer than from eighty to a hundred boarders; one principal object of the establishment of the college being to afford

education at a cheap rate to youth from the interior of the colony or from India. The education of a youth attending the classical and elementary classes costs £12 a year: boarding in the family of one of the headmasters or professors costs £30 additional. On my arrival in the colony in the year 1823, the education of a boy reading Latin, in a school taught by a single master, cost, exclusive of board, £20 a year.

Hitherto the Australian College has necessarily been rather a series of elementary and classical schools than a college properly so called. It was proposed, however, from the first, that it should occupy a higher or collegiate position as soon as possible; affording to colonial youth of a more advanced standing similar educational advantages to those afforded in the mathematical, philosophical, and natural history classes of the universities of Scotland; and I am happy to add, that the change recently effected in the ecclesiastical state of the colony, combined with the provision guaranteed for the establishment of superior schools for elementary instruction, as well as of schools of a higher or intermediate character, will render this arrangement both practicable and necessary at a much earlier period than was at first anticipated. The training up of a native ministry for the Australian colonies is undoubtedly an object of transcendent importance to their moral welfare and progressive advancement; and it is therefore peculiarly gratifying to know, that there is machinery enough on the spot, and already in actual operation, to effect that important object. As a fourth professor, to complete the primary educational establishment of

the Australian College, is at present on the eve of embarking for New South Wales, it is probable that the following will henceforth be the distribution and employment of the available force of the Institution, exclusive of assistant masters for the inferior branches ; viz.

Latin and Greek, Rev. Thomas Aitken, A.M.

Mathematics and Natural Philosophy, Rev. David Mackenzie, A.M.

Natural History, in all its branches, Rev. J. Gowans.

Logic and Moral Philosophy, Rev. Robert Wylde, A.M.

An educational establishment of this extent will enable the Australian College to afford the native candidate for the ministry in New South Wales, a course of preparatory education somewhat similar to the one prescribed for candidates for the ministry in the Church of Scotland, previous to the commencement of their theological course. There is reason to believe, moreover, that there will be ample means of establishing a course of theological education, before the first series of students in the Institution shall have completed their preparatory curriculum. A moderate endowment from the colonial government for each of the four professorships of the Institution would doubtless facilitate these arrangements ; but this is by no means absolutely necessary ; for, as the colonial government are at present strongly opposed to the endowment of academical institutions in the colony, I have reason to believe that the colonial public will cheerfully contribute whatever funds may be requisite for the accomplishment of an object of so much real importance to their own welfare

and advancement. At all events, there will be no want of candidates for the ministry under the new system, either in New South Wales or in Van Dieman's Land; and as I am confident that the flower of our colonial youth will easily be induced to offer themselves for that holy office in their native land, there will obviously be less and less reason every succeeding year for depending on second-rate men from the mother country; for such, I have been repeatedly told, since my return to Europe, is the only sort of clerical men we can reasonably look for in future, whether from the church of England or the church of Scotland, to occupy the pulpits of Australia.

There is another object of importance, to which it was conceived the establishment of the Australian College might be rendered subservient—I mean the Christianization and civilization of the numerous isles of the Pacific. The intercourse of the colony with these islands is becoming more frequent, and, of consequence, more influential either for good or for evil, every day. At the same time, there is an interesting European population arising in these islands, in the children of missionaries; who, according to the early training they shall receive, will be powerfully influential either in extending the language, the laws, the civilization, and the Protestant religion of Britain over the multitude of the isles, or in augmenting the darkness and the immorality of their heathen inhabitants. Having been informed by several of these missionaries, who occasionally visit the colony, that the children of Europeans were exposed to manifold temptations in the South Sea Islands, and were in danger, moreover,

of contracting those lethargic habits that are universally prevalent among semi-barbarians, it occurred to me, that if the most promising of the sons of European missionaries at the islands could be educated in New South Wales under the superintendence of able and Christian men, their knowledge of the language, and their constitutional adaptation to the climate of Polynesia, would render them peculiarly fit to be afterwards sent forth as missionaries to those numerous and populous isles that have never yet been visited by Europeans, and whose groves of palm-trees have never been lighted up by the torch of knowledge, nor gladdened by the sound of the Gospel. With this idea I wrote to the missionaries at Tahiti, (Otaheite,) shortly after my return to the colony in the year 1826, offering to educate any promising youth they might send up to New South Wales by way of experiment. The son of a Scotch missionary from the London Missionary Society, who had been born in the town of Sydney, but spoke the Polynesian language as fluently as the English, was accordingly sent up to the colony towards the close of the year; and, in a period of time unusually short, acquired, by lessons which I could only afford to give him at irregular intervals, a sufficient knowledge of the Latin and Greek languages, to enable him to translate the Greek Gospels into good Latin at the opening of the book. The young man lived four or five years in my family; but preferring at length to return to the islands, he did so in the year 1832, and has since been ordained as a missionary for the Samoa or Navi-

gators' Islands. The experiment consequently proved successful ; and it plainly showed how much might easily be accomplished for *the multitude of the isles* of Polynesia, as well as for the main-land of Australia, by means of a sufficient and well-directed educational force permanently established in the Australian College.

It was the hope of rendering that institution as efficient as possible in the various respects I have thus enumerated, as well as of procuring a number of additional ministers and schoolmasters for the Presbyterian Church in the Australian colonies, that induced me to double Cape Horn and to circumnavigate the globe for the fourth time : and if I have occupied too much of the reader's time in detailing the origin and history of an institution with which I have hitherto been in great measure identified, I trust I shall stand excused, when it is borne in mind, that the Australian College promises at no distant period to be the first and the most influential institution for the education of youth in the Southern Hemisphere.

The only other public educational institutions in the colony are the King's School at Parramatta, founded by the present bishop, when archdeacon of New South Wales, and the Sydney College. All the three institutions are at present unquestionably under able and efficient management, and consequently in a highly prosperous and flourishing condition ; the number of pupils or students in each varying from eighty to considerably upwards of a hundred. The Australian College, however, is the only one of the three which pro-

mises to afford a regular course of academical education, the other two being intended only to serve the purpose of grammar-schools.

On my arrival in New South Wales for the fourth time, towards the close of the year 1834, it was somehow the general impression in the colony, that it was the intention of the local government to establish the Irish national system of education throughout the territory, and to withdraw all grants of public money from whatever primary or elementary schools should not be remodelled on that system. With the exception of three or four Roman Catholic schools, the endowed elementary schools of the colony were at that time exclusively Episcopalian—professedly conducted on the Madras system, but generally of inferior character, and extremely inefficient. That a change of system was loudly called for, was universally acknowledged; but in regard to the nature of that change, there was considerable difference of opinion. The colonial government, as I have already observed, the Roman Catholics of the colony, the colonial liberals, and the colonial press, were all strongly in favour of the exclusive establishment of *the Irish system*, as it was then generally styled in the colony, as the only educational system that should thenceforth be supported from the public treasury: and as the Rev. H. Carmichael, A.M. (whom I had carried out to the colony for the classical department of the Australian College in the year 1831, partly on the recommendation of the Rev. Dr. Chalmers, and on whom, with his two assistants, the duties of that institution had entirely devolved during my own absence in Eng-

land, through the death of one of his coadjutors, and the translation of another to a clerical charge in Van Dieman's Land,) joined this powerful phalanx, and actually resigned his charge in the Australian College, to be in readiness for the Secretaryship of the future Colonial Board of Education, there seemed for some time to be no doubt whatever of the exclusive establishment of the Irish system in New South Wales; the slightest murmur of disapprobation, the slightest demonstration of a desire to have the Holy Scriptures of the authorized version, without note or comment, used in the public schools of the colony, being instantly put down with the hue and cry of sectarianism and intolerance. In this critical conjuncture, the journal to which I have already repeatedly alluded was established in the colony; and as the Rev. Mr. Carmichael, to whom I had previously looked as its future editor, had precluded the possibility of any such arrangement by his own procedure—in deserting our infant institution, on the one hand, after his connexion with it for three years had raised him to a state of respectability and influence in the country; and in advocating the Irish system, on the other—its editorial management devolved entirely on myself. Its first efforts were directed against the powerful combination I have described, in a series of articles on general education, in which the principle of the Irish system was combated week after week, not only on the ground usually taken by its Protestant opponents in this country, but on ground peculiar to the colony.

It was argued, for instance, that even taking it for

granted that the Irish national system of education was the only system practicable in the present circumstances of unhappy and long misgoverned Ireland, the circumstances of the colony of New South Wales were altogether different; for whereas the Roman Catholics were as $4\frac{1}{2}$ to 1, as compared with the Protestants of Ireland; the Protestants were as 3 to 1, as compared with the Roman Catholics of New South Wales; and it was consequently shown to be preposterous to subject a colonial population, comprising so large a majority of Protestants, to a system which could only be defended as a measure of political necessity,—a measure of conciliation towards an overwhelming majority of Roman Catholics in Roman Catholic Ireland.

It was also argued, that the plea of “justice to the Roman Catholics,” which was urged with some propriety in Ireland by the advocates of the Irish national system in Great Britain, could not be urged at all in New South Wales; the Roman Catholics of that colony having already a grant from the public treasury for the education of their own youth in schools of their own—a grant, which the Protestants were not unwilling to have increased, provided it could be shown to be inadequate to the object in view. It was added, moreover, that the systematic attempts of avowed Roman Catholics to force the Irish system upon the Colony *in such circumstances*, could only be regarded as a measure of proselytism on their part, equally offensive and intolerable.

Besides, it was urged with immediate effect, that New South Wales was a British and not an Irish co-

lony, and was therefore not to be subjected to a system of education which would immediately be rejected with indignation by the people of England and Scotland, and which was fit only for the people of Ireland.

The arrangement recommended in the journal in question was that a board of education should be constituted by the Government, consisting of ministers of religion, and laymen of all the leading communions of the colony; and that that Board should annually ascertain the numbers and wants of each communion respectively, and apportion the educational funds of the colony accordingly, under the sanction of the Governor and Council. Under such a system it was ascertained that there would only be three classes of schools required in the colony, viz., Episcopalian, Presbyterian, and Roman Catholic; the Wesleyan Methodists uniting with the Episcopalians, and the Independents and Baptists with the Presbyterians: and it was shown in conclusion, that in a colony comprising so many communions, the Irish system, which professed to please everybody, was a Utopian scheme, and would eventually please nobody; and that whereas the colonial advocates of that system were perpetually exclaiming against *intolerance and sectarianism*, they were themselves the only *intolerant sectarians* in the colony, in attempting to force the system of their own little sect on a population of which the great majority were determined to have none of it.

These arguments and representations were in the mean time but feebly opposed by the Roman Catholic and latitudinarian journals of the colony,—the ‘Sydney

Gazette,' the 'Australian,' and the 'Monitor,'—the 'Sydney Herald' being prudently silent on the subject till it found public opinion fairly formed. In defect of argument, however, ridicule, which it must be acknowledged is sometimes the test of truth, was attempted again and again to be thrown upon myself individually, and on all who opposed the exclusive establishment of the Irish system: but this powerful weapon was easily wrenched out of the hands of men who were unable to wield it, and turned against themselves and their system with the happiest effect: the following *jeu d'esprit*, which was published in the ninth number of the 'Colonist,' the journal to which I have repeatedly referred, having done more to settle the question of the Irish system in the public mind, than a whole series of arguments.

THE IRISH STEW.

I sing of good eating! There once befel
A notable feast at a Sydney hotel!
There was plenty for me, and plenty for you;
But the pride of the *Board* was an Irish stew.

Who it was that got up the feast,
Is of *many* important things the *least*;
For a feast there was, and that is most true,
And the principal dish was an Irish stew.

There were guests of every rank and station,
Of every possible creed and nation;
Mahometan, Christian, Pagan and Jew;
But the only dish was an Irish stew!

An Irish Roman Catholic priest
 Got up in his place and bless'd the feast,
 And then help'd himself, as he well could do,
 To a trencher-full of the Irish stew.

He dived right into it all in a minute,
 And show'd there was never a Bible in it.
 "For what," said he, "had the Bible to do
 Either inside or outside an Irish stew?"

There was music too, both loud and shrill,
 To cheer up those who were eating their fill;
 And some, it is said, took mountain-dew
 In plentiful draughts with their Irish stew.

Monitor H—ll was the principal chanter;
 He sat, like the De'il in Tam O'Shanter,
 With a pair of Scotch bagpipes, and sung while he blew,
 "O there's no dish at all like an Irish stew."*

For eight long years he had sung like a starling,
 "O what a tyrant was General Darling!"
 But alas! that good old tune's replaced with a new,
 Since he's taken to play up "The Irish stew."

Meanwhile a poor Editor, Richard Roe,
 And his equally brainless friend, John Doe,
 Stood up on their feet, as they used to do,
 And began—"The aforesaid Irish Stew—"

But their eloquence suffer'd a sad eclipse;
 For the Judges speedily seal'd their lips

* Mr. Edward Smith Hall, editor of the 'Sydney Monitor,' a liberal or latitudinarian paper, was an unqualified admirer of the Irish system, and incessant in its praise.

And turn'd them out! So all they could do
Was to beg for some more of the Irish stew.*

And other Editors too might be seen
With their tickets of leave and their shamrocks green.

They may thank English juries ('twixt me and you)
For their own tid-bits of the Irish stew.†

But many, 'tis said, turn'd sick to see
So uncommonly little variety;
While Scotch and English parsons too
Said they never would dine on Irish stew.

"A haggis for me!" cried one reverend brother;
"Roast-beef and plum-pudding!" exclaim'd another.
But so it was, that amazingly few
Were found to relish the Irish stew.

Then the head of the N——l I——n,
A hero of tact and elocution,
Got up on a stool (as he needed to do),
To be seen when extolling the Irish stew.‡

* 'The Australian' newspaper was, at the time in question, under the editorial management of two colonial solicitors, who were by no means remarkable either for the profundity of their thoughts or the force of their diction. The circumstance alluded to in the rhyme was one which had made a great noise in the colony, and was designated at the time the *Division of the Bar*; being a measure of the Supreme Court, precluding solicitors from practising in future as barristers, as they had previously been permitted to do.

† The 'Sydney Gazette' was at the period in question under the joint editorial management of Mr. Edward O'Shaughnessy, an emancipated convict from the green isle; and Mr. William Watt, a Scotch convict, actually under an unexpired sentence of transportation, and merely holding a ticket of leave.

‡ On leaving the Australian College, the Rev. Mr. Carmichael had established a private school in the town of Sydney, which he dig-

“ There are some,” he said, “ who turn up their nose
At the richest and daintiest dish that goes ;
But show me the puny sectarian who
Has a stomach that nauseates Irish stew !

nified with the name of the Normal Institution. The character of this establishment may be guessed at from the following advertisement :—

“ NORMAL INSTITUTION,

Under the superintendence of the REV. HENRY CARMICHAEL, A.M.

“ This Institution has been formed with the view of laying the foundation of a *National System of Education* in New South Wales.

“ The classes are open to the children of all denominations of *religionists* ; for, whilst the communication of religious knowledge forms part of the course of instruction, *the inculcation of any given set of religious opinions*, as matter of faith, is distinctly disclaimed. The object aimed at is to enable the pupil, at as early a period as possible, to undertake the task of educating himself ; and thus becoming, *on religious as well as all other topics*, the framer of his own opinions.”

The man who can talk at this rate, and especially in a convict-colony, may well save himself the trouble of *inculcating any given set of religious opinions*, as the probability is, that he has none that are really worth inculcating.

The following extract from a pamphlet, otherwise unexceptionable, published by Mr. Carmichael, under the title of ‘ *Hints to Emigrants*,’ discovers still more clearly the peculiar views of that gentleman on the subject of education :—

“ Under the present circumstances of the colony, there is ample room and inducement for the labour of inferior men as schoolmasters : and certainly, better is it to have inferior labour in this department of exertion, than an utter destitution of the means of elementary instruction. Yet the matter is of such manifest importance, and the consequences so obviously beneficial, of having established in the territory an effective system of education ; that the time may not be esteemed far distant, when there shall be a properly and effectively endowed and chartered establishment—independent on the control of clerical umpireship, and clear of the meddling of party spirit and sectarian influence,—which shall have authority, and possess capabilities, for spreading

“ For, upon my honour, this excellent dish
Has the nature of herb, fowl, flesh, and fish.
It suits all palates. Pray, try it, sir, do ;
And you ’ll soon ask for more of the Irish stew.

“ There ’s English, French, Latin, and Mathematics,
Jurisprudence and Aërostatics ;
There ’s cod-fish, and *plaice and celery* too,
Combined in this excellent Irish stew !

“ ‘ But as for religion,’ you say : what then ?
Does every gentleman relish cayenne ?
To season for one might poison two ;
So we shan’t season at all our Irish stew.

“ But we ’ll have a spice-bottle at hand on a shelf,
That each may season it for himself.*

throughout the territory the blessings and benefits of systematic education.

“ Until the state shall have made a separate and ample provision for the furtherance of secular education, *altogether distinct from religious*, the exertions of the schoolmaster, properly so called, will be comparatively powerless ; as the influence of the clergy of all denominations will of course be plied to disparage his labours and bring his character into disrepute. The common interests of the race however may well be expected, ere long, to prevail over the ambition and *esprit-de-corps* of so deeply interested a class of men.”

When such sentiments were cherished and avowed by the Rev. Mr. Carmichael, (himself a licentiate of the church of Scotland, and consequently at one time an avowed subscriber of the Confession of Faith, the doctrinal standard of that church) it will not be supposed that the desertion of that gentleman could prove either a serious or a protracted calamity to the Australian College, whatever might have been its intention. As one of its public instructors of youth, his place has been long since ably occupied ; and considering the Institution in the important character of a nursery for at least one branch of the colonial church, the entire discontinuance of his connexion with it was “ a consummation devoutly to be wish’d.”

* On opening his new school, Mr. Carmichael published a sort of

Neither Pagan, Christian, Turk or Jew,
Shall ever season *my* Irish stew."

But it seems he had bolted full more than enough
Even of that super-excellent stuff:
For he stopp'd, turn'd pale, and began to sp——;
So here ends Course the First of the Irish Stew.

The agitation of this important question in the way I have described, during the early part of the year 1835, undoubtedly prevented the exclusive establishment of the Irish system by the Legislative Council of New South Wales for that year. This delay was of the utmost importance to the colony; for before the next meeting of the Council, in the year 1836, Lord Glenelg's famous dispatch already referred to,—authorizing the establishment of a general system of education on the Irish system, if it should be found agreeable to the wishes of the colonists, but directing grants to be issued from the public treasury for the establishment of schools of their own, for those bodies or communions that should prefer such an arrangement,—arrived in the colony. At their meeting in the month of July, 1836, the Legislative Council accordingly voted a specific sum (£3000) for the establishment of certain schools in the colony on the Irish system, but recognised and established the important

manifesto, declaratory of his views and intentions, in the colonial papers; and in reference to the subject of *religious instruction*, after repeating his own precious nonsense about religious knowledge as distinct from religious opinions, he threw out the astounding declaration, as a bait I presume to colonial liberalism, that he would have the Bible in his school "as a book of reference," but of course as nothing more. But the respectable colonists were happily not to be practised upon by so peculiarly awkward a manœuvre.

principle, that primary schools on a system more accordant with the views and feelings of Protestants generally should be endowed by the Government to an extent equal to the contributions of their respective supporters. This important principle being thus established, it appeared to me that the proper course, for the body with which I was more immediately connected, to pursue, was to turn it to immediate account, and to leave to others the task of amending the law, and of thereby getting rid of the Irish system. Fourteen Presbyterian schoolmasters, selected at my request since my return to England by the Glasgow Educational Society, and for whom I am happy to add that His Majesty's truly liberal and enlightened Government have beneficently guaranteed a free passage out, are accordingly at this moment on the eve of embarkation from Scotland for New South Wales and Van Dieman's Land, with a view to the establishment of schools on the most improved plan at present in operation in the mother country, under the auspices of the Presbyterian Church in these colonies. The recently-created Bishop of Australia had arrived in New South Wales about two months before I left the colony in the end of July, 1836, and had immediately commenced a system of agitation, by means of petitions and public meetings, in co-operation with members of all the other Protestant communions of the colony, with a view to have the new law, establishing the Irish system, repealed ; and by the last accounts from the colony it appears that this agitation had been continued up to the close of the year. But there is a time for action as well as for agitation ; and I am decidedly of opinion,

that the best means of preventing the Irish system from obtaining extensive footing in the colony, is to pre-occupy the ground, which may now be done under the sanction of the Government itself, with efficient schools of a different kind.

It would be equally difficult and injudicious to attempt to characterize a race who have hitherto enjoyed so few advantages as the youth of Australia. In bodily appearance they are tall and slender, less adapted to make strenuous exertions than to sustain fatigue and privation. As to their mental qualities, it would perhaps be unfair to judge of the many by a few ; but the specimens of native intellect, with which I have come in contact, have evinced for the most part more surface than depth, more sound than metal. The Australian intellect comes to maturity earlier than the British ; but the first ripe fruit is not always the best. I have known instances of boys in the colony making much greater progress, in the acquisition of the languages for instance, in a given time, than I have witnessed in Scotland ; but the Scotch boy compared with the Australian is like a steady-going draught-horse compared with a hopping kangaroo. Application, indeed, is not the *forte* of the Australian youth, and he is apt rather to be cast down at the sight of difficulties than roused to exertion. On the other hand, he is giddy and frivolous, impatient of restraint, and apt to fancy himself of much more importance in society than he really is. These faults, however, are traceable in great measure to the very defective training which the great majority of the youth of the colony have hitherto

received under the parental roof; for it cannot be denied, and I am most happy to bear testimony to the fact, that they are a highly interesting and a highly improvable race.

There is one trait in their character, however, which is almost uniformly regarded as a virtue, and as the result of a certain innate nobleness of mind, but which I would set down decidedly as a vice, and as merely the result of the by-past condition of their native country as a convict or white-slave colony. The trait I allude to is a blustering and rather offensive affectation of liberty and independence, somewhat similar to the usual demonstrations of the same feeling among the lower classes of Americans. It arises in no respect from a due sense of the rights, or from a consciousness of the character of freemen; but solely from a preposterous comparison of their own unmanacled condition, with the chains and fetters of the convict or enslaved portion of the population. A female convict, who has served out her time, and obtained a certificate of freedom, and got drunk on the strength of it, is perhaps apprehended by a constable, who is probably not aware of the important fact, in order to be conveyed to the watch-house; but Madame nobly sets the myrmidons of the police at defiance by producing her certificate signed and countersigned as the law directs, and shouting as loudly as she can, "I am—a free—woman—huzza!"* It is quite in the order of things for this

* ————— Cui potenter erit res,

Nec facundia deseret hanc, nec lucidus ordo.—HOR.

"She who has taken a copious libation of colonial gin, will neither want eloquence nor distinct arrangement."

hopeful free subject, on afterwards rearing a family of little Australians, to imbue their minds with somewhat of her own *pride of place*, and to lead them, unconsciously perhaps, to assume no small credit in their own estimation, merely for not being liable, forsooth, to the vassalage, and restraint, and degradation of convicts. It is easy to perceive how such a feeling will operate in rendering the colonial youth impatient, even at an early period, of parental restraint, and subsequently lead them to an assumption of superiority when there is nothing to support it, or to a boisterous assertion of rights which nobody ever thinks of calling in question. Nay, it is not difficult to conceive how such a feeling—originating in the lowest classes of society—may operate far beyond the circle from which it emanated, and display itself in quarters where it would not be suspected. It has even given birth to a school of oratory in the colony—the *bouncing** school, it may be styled—which has both wit and talent to support its blustering and brow-beating pretensions.† For my own part, with certain limitations, I would not object to the sentiment of the poet,

Thy spirit, Independence, let me share,
Lord of the lion-heart and eagle-eye;

but I confess I have never found that spirit conjoined with forwardness or effrontery. It is most frequently the mild aspect and the unassuming demeanour, that conceal the heart that is formed for deeds of noble daring

* *To bounce* is a colonial phrase, equivalent to the English phrase, *to bluster*.

† Mr. Wentworth, the Australian barrister, is an *alumnus* of this school.

in the service of the public, or of unflinching endurance in the suffering of irremediable wrong.

But slavery, in whatever form it exists, uniformly produces the same evil effect on the native population of the country in which it prevails. It is of no consequence whether the slave be for seven years or for life, or whether his crime has been a black skin or a highway robbery. I was rowed ashore one morning, when at Rio de Janeiro in the year 1823, by two negro watermen. The landing-place was near the *Ilha das Cobras*, or Isle of Serpents; but there happened to be so many boats at the place when we reached it, that it was with some difficulty we could get close to the shore. While the negroes were endeavouring to get as near as possible, I observed a young Brazilian of respectable appearance—a tiny creature, however, not more I should think than four feet and a half in height—approach the landing-place, apparently looking out for a boat to cross the harbour or to go off to some vessel. A tall, athletic negro made him an offer of his boat in the same forward officious way as a Thames waterman would have done; but the Brazilian, intending perhaps to take some other boat which he had pre-engaged, or not wishing to be troubled at the moment, clenched his fist and dashed it violently at the face of the negro, who of course had to receive the grievous wrong with unmurmuring patience, —*for he was a slave!*

CHAPTER IX.

THE COLONIAL PRESS.

Quid domini faciant, audent quum talia fures ?

VIRG. ECL. III.

What should become of honest men, if thieves were allowed to usurp the management of the press ?

IN making the requisite preparations for embarking for New South Wales for the fourth time, after the publication of the first edition of this work in England, in the year 1834, it appeared to me to be absolutely necessary to provide the means of future defence for the interests with which I had previously been identified, in the form of some colonial periodical journal ; especially as I had then engaged to carry out certain additional ministers for the Presbyterian Church in the colony, together with two additional headmasters or professors for the Australian College,—an institution, which the reader is already aware had been almost annihilated during my former residence in the country, through the want of some such means of defence, and through its consequent exposure to the

virulent and persevering attacks of a thoroughly unprincipled and worthless colonial press.

It appeared to me, also, in accordance with a sentiment expressed somewhere by Mr. Douglas of Cavers, in his eloquent and admirable work on the 'Advancement of Society,' that a weekly periodical journal, under proper management, might be made one of the most powerful means of promoting that great object, especially in a country like New South Wales,—a country in a state of rapid transition, and in which the very foundations of society were yet to be laid: and it therefore appeared to me, moreover, to be an object worthy of the utmost efforts of any honest man, to render the public press, which had almost uniformly been employed as an instrument of evil in the Australian colonies, an instrument of good for the future, by wresting it from the hands of those incapables and worse than incapables, who had so long employed it for their own petty and contemptible purposes, and virtually for the ruin of society. I accordingly provided myself with the means of establishing a weekly periodical on my return to the colony, which was accordingly commenced, under the designation of 'The Colonist, or Weekly Journal of politics, commerce, agriculture, literature, science, and religion, for the colony of New South Wales,' on the 1st of January, 1835.

The colonial press had at that period reached its lowest level, having altogether ceased to exercise the slightest influence on reputable men in the colony; for when the stream of its vapid inanity was broken in

any instance, it was only to give vent to the vilest passions in language of the most contemptible abuse. The 'Sydney Gazette,' the only paper in the colony which is published three times a week, was, at the period in question, ostensibly under the editorial management of an emancipated convict of the name of O'Shaughnessy, a person of very improvident and dissipated habits; but was virtually under the entire management and control of a Scotch convict of the name of Watt, who had been outlawed in Edinburgh, and afterwards transported from London for embezzlement to a large amount in the house of Todd, Morrison, and Co., of Fore-street, and was still actually under the operation of his unexpired sentence, although holding a ticket of leave, and allowed to employ himself for his own advantage; which he was somehow permitted to do, while living notoriously in a state of concubinage with a female convict illegally at large, under the very eye of the colonial police. Nay, so thoroughly degraded was the colonial press at the period I allude to, that there had even been a competition for the services of this individual between the 'Sydney Gazette' and the 'Sydney Monitor;' and it was only because the balance of power and of emolument seemed to incline towards the former of these journals, that it was honoured with the preference.

The influence which these individuals were thus permitted to exercise was not only demoralizing, but absolutely dangerous to the community; their efforts being virtually directed to the abolition of all those moral distinctions which the laws of God have esta-

blished in society, and to the entire obliteration from the mind of the convict of all sense of degradation and criminality. In fact, the general tendency of their writings was to frustrate all the ends of penal discipline, and to neutralize every attempt at reformation.

Perceiving the absolute necessity, as far as the cause of public morals was concerned, of putting down this prodigious enormity, and finding that the colonial government were not disposed to do any thing in the matter, (the convict Watt, notwithstanding the notorious character of his profligacy, being rather under the protection than under the *surveillance* of the colonial police, while O'Shaughnessy was actually the bosom friend of a very influential officer of the government,) I wrote a series of essays, which were published in the earlier numbers of 'The Colonist,' under the title of 'The Literary Profession, or Colonial Press;' the object of which was to point out the vast importance of that powerful engine to society at large, and the absolute necessity of having it under the management of reputable men in a convict colony. In these essays I endeavoured particularly to direct the attention of the public to the state and management of the 'Sydney Gazette' under its convict and emancipated convict editors, and showed that it was an absolute disgrace to the whole community to permit so monstrous a state of things to subsist for a moment longer.

The convict Watt, however, and his coadjutor O'Shaughnessy, had the address to persuade certain of the wealthier emancipists to make common cause with

them, and to regard their own interests as identified with their continued maintenance and support as directors of the press. A combination was accordingly formed to put down the 'Colonist' journal, and to ruin myself individually for having dared to promulgate such obnoxious sentiments; a wealthy emancipist, who had been transported not many years ago for robbing a chapel in London, but who had acquired great wealth in the colony after the expiration of his sentence, and who was living at the time in a state of concubinage with a female convict illegally at large, having headed a list of subscriptions for the accomplishment of so desirable an object, by means of a series of actions to be instituted in the colonial courts against the 'Colonist,' with £50. A criminal information was accordingly applied for in the Supreme Court of the colony, at the instance of O'Shaughnessy, on the ground of certain observations in the papers referred to, which were alleged to be libellous; and the first counsel at the colonial bar, W. C. Wentworth, Esq., a native of the colony, who had uniformly identified himself with the views and claims of the emancipists, was engaged for the prosecution. As the case was one of prodigious importance to the moral welfare of the colony, and as I had reason to suspect that the views I entertained, and had published on the subject of the press, were not those of the colonial bar generally, and especially of that portion of it which was supported chiefly by emancipist practice, I undertook the defence in person. The proceedings, of which the following is an abridged account, as reported in the 'Colonist' journal

of June 18, 1835, excited intense interest in the colony, and, I am happy to add, have already been productive of the most beneficial effects.

“ THE LIBEL CASE.

“ WE intended to have made the new Assignment Regulations the subject of our leading article for this number; but the recent proceedings in the Supreme Court, relative to the case of alleged libel, that has arisen out of the publication of the leading article in the fourteenth number of this journal, have induced us to postpone our intended observations on that important subject till a future opportunity, and to appropriate the space usually occupied by our leading article, in presenting our readers with an account of these proceedings, which they will doubtless acknowledge afford an appropriate sequel to the series of articles we have already published on ‘The Literary Profession, or The Colonial Press.’

“ The article published under this title in the fourteenth number of this journal was written by the Rev. Dr. Lang; and the authorship was accordingly acknowledged in due form whenever it was required to be exhibited in evidence for the institution of law proceedings against this journal. On this acknowledgment, an application for a criminal information against Dr. Lang was made to their Honours, the three Judges, at the instance of Mr. Edward O’Shaughnessy, editor of ‘The Sydney Gazette,’ by W. C. Wentworth, Esq., Barrister; and Saturday, the 6th instant, was ap-

pointed as the day on which Dr. L. should be called on to show cause why such an information should not be granted : but Dr. Lang being accidentally absent at Hunter's River on the 6th instant, the case was allowed to stand over till Saturday the 13th, when it was accordingly brought forward before their Honours, the three Judges, sitting *in banco*.

“ Mr. Wentworth's application was grounded on the following affidavit by Mr. Edward O'Shaughnessy :—

“ ‘ (*In the Supreme Court of New South Wales.*)

“ ‘ Edward O'Shaughnessy, of Sydney, in the colony of New South Wales, gentleman, maketh oath and saith, that on the second day of April last past, there appeared in a certain public newspaper, called ‘ The Colonist, or Weekly Journal of Politics, Commerce, Agriculture, Literature, Science, and Religion, for the colony of New South Wales,’ edited, printed, and published by Kenneth Munro, in Sydney, a certain article, entitled ‘ The Literary Profession, or The Colonial Press,’ in which said article, amongst other things, are the following observations of and concerning him, this deponent ; that is to say, “ If Mrs. Howe, (meaning the proprietor of ‘ The Sydney Gazette,’ in whose service the deponent now is) therefore, has had to lament over the gradual but almost total destruction of a splendid property, she must ascribe the circumstance in great measure to the insult she was most unfortunately advised to perpetrate on the common sense and good feeling of this community

in elevating Mr. Edward O'Shaughnessy (meaning him this deponent) to the rank of editor of 'The Sydney Gazette.' Nay, if the colony had not actually been almost as totally devoid of right feeling, as such conduct had a direct tendency to make it, the property in question (meaning the said 'Sydney Gazette') would have been utterly annihilated years ago. For in what other part of the British empire, we would ask, would any number of reputable persons be found to allow a paper, edited by an individual who was only yesterday, as it were, a transported felon, to enter their doors?" And deponent saith, that in another part of the same article are the following observations of and concerning him, this deponent, that is to say,—“We shall be told that Mr. O'Shaughnessy (meaning him this deponent) is a reformed personage. We deny that he is so. A modest, retiring disposition is the uniform accompaniment of sincere penitence, of genuine reformation; and we maintain, in the face of the whole colony, and without the least fear of contradiction, that if Mr. O'Shaughnessy (meaning him this deponent) had possessed such a spirit in any degree, he would have shrunk back from a situation of such peculiar prominence and responsibility as that of editor of 'The Sydney Gazette,' even although it had been injudiciously offered him on the one hand, and though he had been quite fit for it on the other. The brazen-faced impudence of the man who could presume to step from the situation of government-man, or assigned servant to the late Mr. Robert Howe, into that of editor of 'The Sydney Gazette,' or, in other words, literary dictator to the lieges in this

colony, and could set himself down, in a sort of magisterial chair, to pronounce authoritatively on the character and actions of reputable men, and to issue forth opinions to a gaping public thrice a week on matters of government and legislation, sufficiently proves that he has no right or title to the epithet *reformed*, and that he is just as bad at heart as when he was *legged* in Dublin. And has His Majesty's colony of New South Wales indeed come to such a pass, that we must all be schooled, forsooth, by a fellow like this? But it is not on these general grounds alone that we would exclude Mr. O'Shaughnessy (meaning him this deponent) from the office into which he has most impudently intruded. The man is naturally quite destitute of the talent and vigour of mind which are indispensably necessary in such an office, to command the respect and to influence the opinions of the public. If he has talent at all, it is a talent for abuse; and the dish he is in the habit of serving up to his readers thrice a week, is mere mawkish prosing and miserable verbiage. Under such management, how could the proprietors of 'The Sydney Gazette' expect that their property could be saved from ruin?" And deponent further saith, that in another part of the same article are the following observations upon him, this deponent, (which observations purport to be part of a pretended speech in the House of Commons in England) that is to say—"I hold in my hand a file of that respectable colonial journal, 'The Sydney Gazette,' which it seems is now conducted by that paragon of editors, Mr. Edward O'Shaughnessy, (meaning him

this deponent) who had the honour to be transported from Dublin a few years ago, and who (thanks to the admirable system of penal discipline in our Australian colonies !), instead of being sent direct to a penal settlement, agreeably to Sir Robert Peel's express orders, along with the other special scoundrels of his class, was suffered to remain in that hot-bed of pollution, the town of Sydney, where he lived as comfortably all the time of his sentence as ever he had done in his life, in the capacity of government-man or convict-servant to the late editor of 'The Sydney Gazette,' and where he now conducts that hopeful journal himself, as a literary dictator to the colony, and ever and anon advocates the necessity of a House of Assembly for the said colony, on the very same grounds as those on which it is now advocated by my honourable friend." And this deponent saith, that in the following number of the said newspaper, there appeared the following observations, avowing the motives which induced the publication of the foregoing observations respecting him, this deponent, that is to say,—“Nay, we have no hesitation in informing Mr. O'S., (meaning him, this deponent) that one of the objects of our last leading article was to oust him from the situation which he now holds, to the manifest injury of the whole colony, and that we shall be greatly disappointed if that object should not be accomplished sooner or later ; for we hold Mr. O'S.'s (meaning this deponent) occupation of the situation of editor of the only paper in this colony which is published thrice a week a positive disgrace to the colony, and a clear proof of the utter inefficiency of its press in

times past." And this deponent further saith, that although it is true that he did not arrive free in this colony, yet he has for several years become free by the expiration of his term of sentence, and during the period of his residence in this colony he has always conducted himself as a reputable and orderly member of society, and hath for some time past been employed as editor of 'The Sydney Gazette;' and the said deponent saith that the said publication is a false, scandalous, and malicious libel upon him, both in his private character and in his trade or profession, and hath a tendency to degrade or lower him in the estimation of society, and to injure him in his said trade or profession; and as this deponent verily believes, from the nature of the publication, the same was composed and printed with the express intention of injuring deponent in his character and circumstances, without any just cause or provocation.

E. W. O'SHAUGHNESSY.'

" On being called upon by the Court to show cause why a criminal information should not be granted in the case, Dr. Lang submitted the following affidavit, which was accordingly read in Court:—

" '(In the Supreme Court of New South Wales.)

" 'John Dunmore Lang, of Sydney, Doctor of Divinity, and Minister of the Scots Church, Sydney, maketh oath and saith, that an article published in a certain public newspaper called 'The Colonist,' on the second

day of April last past, of which he acknowledges himself to be the author, was written wholly and solely with a view to point out, to the reputable and virtuous portion of the inhabitants of this colony, the moral unfitness, and the political incompetency, of any person who had arrived in this territory as a transported felon, for having the management of so powerful and influential an engine as the public press in any country, but especially in a country appropriated by the Parliament of Great Britain for the transportation of felons —this deponent believing that any measure, which has the effect of placing the press in the hands of such persons in this country, must have a direct tendency to degrade the character of this community in the estimation of all reputable men in the mother country, to lower the standard of public morals in the colony, to counteract the ends for which this colony was originally established as a penal settlement by the Imperial Parliament, and to prevent the attainment of those political privileges and advantages for which its free inhabitants have repeatedly petitioned. And this deponent further maketh oath and saith, that it is his belief and conviction that the voluntary assumption of the management of the press by an emancipated convict, or transported felon, who has obtained his freedom in this convict colony, is itself a sufficient and satisfactory evidence that such emancipated convict is not a really reformed character, and cannot therefore be trusted by society, with any degree of safety, or without the greatest danger to its own best interests, with the management of so dangerous an

engine as the public press, especially in a colony established for the reformation of convicts; but that while this deponent, acting on such belief and conviction, conceived it his duty, as a member of society, and more especially as a minister of religion, to adopt all such fair and honourable means as the public press afforded, for effecting the discontinuance of a system, which was nevertheless tolerated and is still in full operation in this colony, notwithstanding the danger and detriment to the whole community with which it was fraught, it was by no means either the wish or the intention of the said deponent to injure the plaintiff in this action in his private character, or to prevent him from earning an honest livelihood in any other reputable situation, than that of editor to a public newspaper, which he was competent to hold. And this deponent further maketh oath and saith, that although he was not influenced to write the article aforesaid by any personal provocation he had received from the said plaintiff, but was actuated merely by a regard for the general welfare of this community, it is, nevertheless, true and notorious, that the said plaintiff has embraced every opportunity, both before the publication of the said article, and again and again thereafter, of employing the public press, in his capacity of editor of 'The Sydney Gazette,' for the purpose of blasting the reputation of this deponent as a member of society, and of ruining his character as a minister of religion, of which this deponent can exhibit abundant evidence; and that, therefore, the said plaintiff, having given much provocation, and having also taken the law into

his own hands, is not entitled to seek reparation for any supposed injury he conceives he has sustained from the publication of the said article, as he does not come into Court with clean hands. And this deponent further maketh oath and saith, that it is his belief and conviction, that the present action has not originated in any consciousness of injury sustained by the plaintiff through the publication of the aforesaid article, but has been brought at the instigation of certain evil-disposed persons, who have taken up a strong feeling of hostility towards this deponent, for his zealous and successful efforts in promoting the moral welfare and the general advancement of this colony; this deponent being credibly informed that a subscription-paper has been circulating in the town of Sydney, to collect money, ostensibly for the purpose of enabling the said plaintiff to obtain justice in this case, but really for the purpose of prosecuting the said deponent, if possible, to his entire ruin.

JOHN DUNMORE LANG.'

“ Dr. L. then addressed the Court in a speech of two hours, of which, however, we can only present our readers with the following abstract :—

“ ‘ Although I am not accustomed to speak in public in such circumstances as those in which I now find myself, I cannot but account myself fortunate in being permitted to speak in my own behalf in any circumstances whatever. It is a privilege I have seldom enjoyed in this colony for many years past; for con-

stituted as the colonial press has been till very lately, and engaged, as I have been, in undertakings which have appeared to me to be connected with the advancement of the public welfare, I have often been obliged to sit silent, while my character was traduced, and my motives and actions misrepresented by the press, without being permitted to say a single word for myself in any way.

“ ‘ During the long period I have resided in this colony, I have often had occasion to observe, that the progress of that system of reformation, for which it was originally established, was not only slow, but was retarded at every step by certain counteracting influences within the colony ; that the state of society, in regard to the prevalence of virtuous feelings on the part of the community, was exceedingly degraded ; and that the standard of public morals was so low, that crime itself was on all hands openly and unblushingly dignified with the honourable epithet of misfortune. In looking around for the cause and origin of such a state of things, I could not help observing also that the press had been mainly instrumental in bringing it about. That mightiest engine, which the Almighty had ever enabled mortal man to make use of for the reformation of society, had, it seemed to me, been employed in this colony to increase and to perpetuate its moral degradation. Poison, it appeared to me, had been cast into that fountain, which the All-merciful had opened to pour forth healing waters over the whole face of society ; and that which had been given by Divine Providence as a *spirit of health* to mankind,

had, to use the phraseology of the poet, been transformed, in the hands of unprincipled men, into a very *goblin damn'd*.

“ ‘It appeared to me, therefore, that no general reformation could either be expected or hoped for in this colony, until the press itself should be reformed—till that powerful engine should be placed in the hands of men in whom the public could place confidence, to whom they could look up with some degree of respect as their guides and instructors, and to whose opinions they would not be ashamed to defer. In considering the state of things in the colony more particularly in reference to this matter, I could not help observing, that ‘The Sydney Gazette,’ the oldest paper in the colony, the only one that was published three times a week, was under the management of an individual, who had been transported to this colony for his crimes, and who, within the last few years, had held the situation of somebody’s convict-servant or government-man in the town of Sydney—a situation, in comparison with which, in reference to the moral character it implied, the lowest pauper in England had much to boast of—nay, and that the associate of this individual in his editorial labours, was another individual actually undergoing the sentence of transportation, as a convict holding a mere ticket of leave.

“ ‘In these circumstances, it appeared to me that it was the bounden duty of every person who had the welfare of the colony at heart, and who felt himself at all competent to the task, to expose, and thereby, if possible, to put an end to a system which admitted

such enormities. With this view, and with this view alone, was the article written, for which I am now called to answer before Your Honours, as a false, scandalous, and malicious libel. That article was written to impress upon the reputable portion of this community this important principle,—that an individual who had been transported to this colony for his crimes, was incompetent to have the management of such an engine as the press in New South Wales—that a state of things which permitted such an individual to assume the management of such an engine was a positive disgrace to this colony, dangerous to the interests of pure morality, and the greatest obstacle that could possibly exist to the attainment of those political rights and privileges which all classes of its free inhabitants so ardently desire.

“ ‘ The principle contended for in the article referred to, viz.—that an emancipated convict is incompetent to have the management of the public press, could never for one moment admit of question in England : and if such a question is entertained, and requires to be agitated here, it only shows that we are as much at the antipodes of Great Britain in point of moral feeling, as we are in point of geographical position. No emancipated convict would ever dream of making such a bold experiment on the forbearance of the community, as to assume the management of so powerful an engine as the press in any of His Majesty’s three kingdoms : and if the enormity has been practised and tolerated here, it only shows how deeply we have sunk, as a community, below the standard of public feeling in

England ; and how absolutely necessary it is, for those who have the welfare of this colony at heart, to make the most strenuous and unremitting efforts to put an end to a system which permits such enormities, and thereby to elevate the tone of public feeling in this colony to its proper, its English level.

“ ‘ It will doubtless be argued in reply to this reasoning, that the state of things in this colony is very different from what it is in England—that we have here a community consisting in great measure of emancipated convicts, and a large number of convicts in actual bondage : but this difference, so far from rendering it either expedient or safe for the community to have the press in this colony under such management as ‘ The Sydney Gazette ’ is under at this moment, increases the danger of such a state of things tenfold, and renders it a matter of still more urgent and imperious necessity to have so preposterous a system brought to an end.

“ ‘ Your Honours are well aware of the nature and strength of those feelings that constitute what is styled *esprit de corps*—how they warp a man’s understanding, and scoop out a totally different channel for his affections from the one in which they would otherwise have flowed. What, then, I would ask, is the nature of those feelings that constitute the *esprit de corps* of an emancipated convict ? or in what particular channel do his sympathies flow ? Why, the sympathies of an emancipated convict must necessarily be exercised in favour of all and sundry who belong to the same class as he has himself belonged to, and who occupy the

same situation as he has occupied himself—for the tenants of hulks and jails, for men who are actually undergoing the sentence of transportation for their crimes ; and it is a principle in human nature, that when our sympathies are engaged for any man's person, they are most easily transferable to his acts. Sympathy for the criminal, on the part of the emancipated convict, thus becomes sympathy for his crime. The feeling of kindness towards the one becomes a feeling of tenderness towards the other ; in proof of which I can appeal to your Honours for the truth of the statement I have already made in reference to the state of public feeling in this colony, viz.—that the name by which *crime* is most frequently distinguished in this colony is *misfortune*. The natural result, therefore, of a state of things, in which the press has been under the management of emancipated convicts and ticket-of-leave men, or of men who have the same *esprit de corps* with these classes of our community,—is that the standard of morals and of public feeling has been authoritatively lowered throughout the colony, and that the press generally has sunk to a somewhat correspondingly low and degraded condition. But the principle of *esprit de corps* operates to the disadvantage and injury of the community, in the case of an emancipated convict having the management of the press, in another and most important respect : for, taking it for granted, as I feel constrained to do, that an emancipated convict, who assumes the management of such an engine as the press in this colony, must necessarily be an unreformed character, what regard can the man,

who has no character of his own, have for the character of others? His object, in accordance with the well-known principles of human nature, must necessarily be to reduce all and sundry to the same level with himself—to obliterate the sense or recollection of his own disgrace by obliterating the distinctions between vice and virtue.

“ ‘ Now, considering that ‘ The Sydney Gazette ’ had been the prime source of pollution, and the chief cause of the degradation of the press, in this colony, and considering also, that this had arisen from that paper being at present under the management of convicts and emancipated convicts, as well as from its having been almost all along under the influence of men whose sentiments and opinions had been formed, and whose characters had been cast, in that mould ;—it appeared to me that I should be discharging a public and most important duty, by pointing out to the colony the true character of a system of such enormity, that so powerful and influential an engine as the press might, if possible, be wrested from the hands of incompetent and unworthy persons.

“ ‘ And to satisfy Your Honours that such was the real origin and object of the article which has been characterized by the plaintiff as a false, scandalous, and malicious libel, I shall read a portion of it to your Honours :—

“ When the business of an editor of a newspaper was merely to report the common occurrences—the accidents and offences—of the day, and especially when

his readers comprised only a small portion of the general population, his office was neither important nor influential: such was the state of the periodical literature of Great Britain within the recollection of many individuals yet alive: the mass of the people were utterly devoid of curiosity as to what was happening in the great world around them; and the miserable periodical press of the period merely furnished the country squire, the parish clergyman, and the village milliner, with a list of the births, marriages, and deaths of the day.

“The first important event that led to a different state of things—arousing the nation from its state of lethargy, and exciting the press into vigorous action—was the American war; an event, which in one day severed thirteen flourishing colonies from the parent state, and subjected the British arms to a series of disastrous repulses, such as they had never experienced from all the chivalry of France. That event, awakening as it did a warm sympathy on behalf of the injured and oppressed Americans in the breast of a large proportion of the general intelligence and virtue of the nation, led the people at large to inquire, on the one hand, into the political rights of their fellow subjects, the late colonists of America; and to hold an inquest, on the other, on the miserable policy of their rulers, whose incapacity and gross mismanagement had made the nation—

A destiny meet,

So dark with dishonour, so foul with defeat.

“Shortly after this period of national excitement, the

French revolution came like a thunder-clap upon the dwellers in the world. By that *earthquake*, in the course of which *the tenth part of the Babylonish city fell*, and *the sun and moon were darkened*, and *the stars refused to give their light*; in the political firmament of an ancient European kingdom, the minds of men were again strongly excited, and the press began to exercise an influence and a power which it had never done before. The nature and character of this excitement were altogether political; and the inquiries to which it led respected the constitution and the administration of government, and the national, civil, and political rights of men.

“ The unfortunate issue of the French revolution, and the military despotism in which it terminated, enabled the Toryism of England to repress the spirit of the age for a whole quarter of a century, by involving the nation in what is now considered, almost universally, an unjust and unnecessary war. But that war came to an end, and so also did the peace that followed it; for in a period of profound tranquillity the revolutionary drum was again beat fiercely, and France, Belgium, and Poland were fearfully convulsed to their centres. Surrounded as they were with the ocean-waves, it was not to be supposed that the British Isles could remain unaffected in the midst of this *moving of the waters*: the revolutionary wave passed over them also, and the Reform Bill was the earliest grand result of the mighty movement that ensued. In the progress of that movement, the press suddenly assumed a position which it had never occupied before, and began to exert an in-

fluence which no party, however wealthy, or numerous, or powerful, could disregard with impunity: for, instead of merely affording the country squire, the parish clergyman, and the village milliner, a list of the births, marriages, and deaths of the day, as it did fifty years ago, that powerful engine now commands the willing attention of myriads and myriads more of the general population, and has acquired the power of influencing, either for good or for evil, vast masses of men. In short, the object of the press is no longer to furnish a list of 'hair-breadth 'scapes, and moving accidents by flood and field,' but to enlighten the understanding and to guide the judgment of nations, and thereby to ameliorate the condition of the human race. In pursuance of this object it has reared for itself a dictatorial throne in the face of all Europe, and given forth laws for the general welfare of society, which even monarchs must obey: it sits in judgment on all matters of foreign and domestic policy; and from its ultimate decisions there lies no appeal: it holds its inquests on the characters and principles of all public men, from the first magistrate of the state to the meanest constable: and whereas the old British constitution acknowledged only king, lords, and commons, it has in so far new-modelled that constitution, as to get itself acknowledged the fourth, and that not the least influential estate of the realm.

“What then shall we think of the state of things in a community, formed of British subjects, in which the manager of so powerful an engine, the occupant of a situation of such commanding influence and such high

responsibility, is an individual, who was only yesterday, as it were, a transported felon, and whose ankles are probably still blue with the marks of his iron fetters? What shall we think of the presumption of the party or parties who could insult the good feelings of a whole community by such an arrangement? What shall we think of the moral and political degradation of that community itself, that could tolerate such an arrangement for a single day?

“After the death of the late Mr. Robert Howe, the Rev. Ralph Mansfield acted for several years as editor of the ‘Sydney Gazette,’ in virtue of an arrangement which he had made with Mr. H. a short time previous to his death; but that arrangement being found disadvantageous to the trustees, it was broken off, and an engagement made with the Rev. H. Carmichael, A. M., who was then classical professor in the Australian College, to conduct the paper. Mr. C. accordingly did so for a quarter of a year; but having on one occasion written a leading article, in which he thought proper to maintain that the salaries of certain high functionaries in the colony were much more than a reasonable compensation for the services they rendered to the community; and articles of that nature being altogether repugnant to the principles of obsequiousness and servility to the powers that be, which had uniformly distinguished ‘The Sydney Gazette;’ and Mr. C. refusing, moreover, to suffer himself to be gagged for the future;—his services were dispensed with in so summary a manner, that the Supreme Court allowed him £150 damages in a civil action which he

brought against Mrs. Howe's trustees for breach of engagement.

“The late Mr. Howe, being unfortunately supposed useful to the late colonial administrations in a variety of ways, was treated by these administrations with especial indulgence, and occasionally received favours, which the rival editors of the colony could not even hope to obtain. In this way a person of the name of O'Shaughnessy was assigned to him as a government-man or convict servant, and was found so useful in that capacity, as a collector of accidents and general reporter to the paper, that Mr. H. treated him with much more indulgence as a convict-servant than he could have had directly from the government as the holder of a ticket of leave. O'Shaughnessy, our readers will perceive, was of the class of specials or literary convicts—a class, which Sir Robert Peel rightly considered as far more dangerous to the reputable portion of this community than the poor Irish White-Boy or English machine-breaker, and accordingly ordered the late Governor to send direct to the penal settlements of Wellington Valley, Moreton Bay, or Norfolk Island; but of which General Darling occasionally allowed individuals, in direct contravention of that salutary regulation, to get back to Sydney, to the great annoyance of the colony. At what time or in what manner O'Shaughnessy obtained his emancipation—whether by servitude or by favour—we neither know nor care; but during the respective incumbencies of the Rev. Messrs. Mansfield and Carmichael, he occasionally wrote secondary articles for ‘The Sydney Gazette,’ (by whose

proprietors he was still engaged as reporter, clerk, and newsmonger) which, in order to enable those who were no judges of style to distinguish from his principal's, were generally indicated by an index or hand.

“Whether Mrs. Howe and her trustees are judges of style or not, we cannot pretend to determine; but this we know and are assured of, that they must be very indifferent judges of propriety, and that their estimate of the intellect and the moral feeling of this colony must be sufficiently low: for, on the discontinuance of Mr. Carmichael's engagement, they deemed Mr. O'Shaughnessy, late government-man to Mr. Robert Howe, a competent person to occupy the high, commanding, influential, and responsible situation of editor of what ought otherwise to have been the first periodical in the country; to sit in judgment on all measures of the colonial government, whether towards the free or towards the bond; to offer his opinion authoritatively on the character and tendency of the system of penal discipline in this convict colony—that system, of which he had himself been so notorious an instance of the gross abuse; to hold an inquest thrice a week on the characters and actions of all public men; and to influence, for good or evil, to a degree which almost no other situation in the colony can enable its occupant to do, the intellectual and moral character of our entire population.

“If Mrs. Howe, therefore, has had to lament over the gradual but almost total destruction of a splendid property, she must ascribe the circumstance, in great measure, to the insult she was most unfortunately advised

to perpetrate on the common sense and good-feeling of this community, in elevating Mr. Edward O'Shaughnessy to the rank of editor of 'The Sydney Gazette:' nay, if this colony had not actually been almost as totally devoid of right feeling, as such conduct had a direct tendency to make it, the property in question would have been utterly annihilated years ago: for in what other part of the British empire, we would ask, would any number of reputable persons be found to allow a paper, edited by an individual, who was only yesterday, as it were, a transported felon, to enter their doors?

“ But the evil done to this colony generally, by the introduction of such a man as Mr. O'Shaughnessy into such a situation as the one he occupies, is of a still more serious kind: in short, it is the most effectual means that could possibly be adopted by the worst enemies of the colony, to lower its character in the estimation of His Majesty's Government and the Parliament of England, and to bring it into absolute contempt. If Mr. Bulwer,* for instance, were to bring forward a motion in the House of Commons, founded on our colonial petitions of former years, to grant this colony a House of Assembly; and if we had any private interest to serve in preventing that “ con-

* A petition to the House of Commons for a House of Assembly for the colony had been forwarded by a large party of the colonists, chiefly of the class of emancipists, to Mr. Bulwer. Mr. Morrison, M.P., of Fore-street, London, was the head of the mercantile establishment in which the convict Watt had been employed when he committed the crime for which he was transported.

summation devoutly to be wish'd," and were determined, as we generally are, to carry our point, we should just adopt the following plan; and however favourably disposed the House might otherwise be to promote the best interests of the colony, by granting the earnest prayer of nine-tenths of its respectable inhabitants, we are confident we should succeed in defeating the measure. We should call on Mr. James Morrison, M. P., of Fore-street, London, who unfortunately knows as much about some of the worthies of 'The Gazette Office' as we do ourselves, and who would therefore feel disposed to take up any subject in which they are personally concerned; and we should give him a friendly hint as to how it was proper to proceed in defeating the object of the colonial petition. As soon, then, as Mr. Bulwer had finished his luminous and argumentative speech, setting forth the population and resources, the agriculture and commerce, the rapid extension and the future advancement of the colony, and concluding by pointing out to the honourable House the propriety of granting a House of Assembly to so loyal, and flourishing, and hopeful a colony, Mr. Morrison would start up to second the motion, and he would do so in some such terms as the following:—

“ ‘ I rise to express my cordial assent to every syllable that has fallen from my honourable friend, in regard to the rapid growth and the present prosperity of His Majesty's colony of New South Wales: but, as my honourable friend appeared to me not to have his

argument in favour of granting a House of Assembly to that colony supported by sufficiently unexceptionable authority, it gives me infinite pleasure to be able to supply this material defect in my honourable friend's speech, by producing an authority, in support of the various forcible and convincing statements of my honourable friend, to which, I am confident, this House will most cheerfully bow. I hold in my hand, therefore, a file of that respectable colonial journal, 'The Sydney Gazette,' which, it seems, is now conducted by that paragon of editors, Mr. Edward O'Shaughnessy; who had the honour to be transported from Dublin a few years ago, and who, (thanks to the admirable system of penal discipline in our Australian colonies!) instead of being sent direct to a penal settlement, agreeably to Sir Robert Peel's express orders, along with the other special scoundrels of his class, was suffered to remain in that hot-bed of pollution, the town of Sydney, where he lived as comfortably all the time of his sentence as ever he had done in his life, in the capacity of government-man, or convict servant, to the late editor of 'The Sydney Gazette;' and where he now conducts that hopeful journal himself, as literary dictator to the colony; and ever and anon advocates the necessity of a House of Assembly for the said colony, on the very same grounds as those on which it is now advocated by my honourable friend. Now, although I would most unhesitatingly support my honourable friend's motion on its own intrinsic merits, I must inform the Honourable House, that supported as it is

by the respectable authority of Mr. O'Shaughnessy, I shall do something more, for I shall propose the following amendments, viz.—

‘ 1st, That in the event of a House of Assembly being granted to the colony of New South Wales, the thrice-convicted felons, at the penal settlements of Norfolk Island and Moreton Bay, be empowered to send knights of the shire, to represent their interests in the said House, and—

‘ 2ndly, That in the event of a House of Assembly being granted to the convict colony of New South Wales,—in which men like Mr. O'Shaughnessy are allowed to direct public opinion,—the inmates of His Majesty's prison of Newgate be empowered to send down two of their number in future to represent them in this House, irons and all.’—*Parliamentary Debates, New Series.*

“ After such an exposé, the colonial petitioners, however numerous and however respectable, would be sure to get a horse-laugh, instead of a House of Assembly, from the Commons, in answer to their petition, however eloquently supported that petition might be by Mr. Bulwer, or by any body else. Whoever therefore is desirous of seeing a House of Assembly in this colony, let him endeavour by all means to shut Mr. O'Shaughnessy's mouth on that subject in future.”

“ ‘ It will doubtless be urged in reply to these observations, that an emancipated convict is restored to all the rights and privileges of a free subject, and may therefore undertake the management of the press, as well as fill any other situation for which he is com-

petent. I admit that the emancipated convict is restored to all the rights and privileges of a free subject, inasmuch as he is free to claim, and is sure to receive, the protection of the law as a member of society, in the exercise of whatever reputable business or calling he may engage in for earning an honest livelihood, equally with any other free subject of the realm: but if it is meant to be insinuated, as is generally done when the case is argued by the press in this colony, that the emancipated convict is restored to all the rights and privileges of a free subject, in such a sense that he stands thereafter upon exactly the same ground, in all respects whatsoever, as any other free subject on whom the sentence of transportation has never passed, I deny the position altogether. Why, if the restoration to rights and privileges, which an emancipated convict who has undergone the sentence of transportation can rightly claim, is to be understood in so wide and unlimited a sense as is thus contended for, then might we find an emancipated convict, provided he had previously received the requisite education, sitting on that bench with Your Honours, or pleading as a barrister in this Court; for these are objects of ambition to which every other free subject may look forward under our happy constitution, in which mere humbleness of birth precludes no man from either seeking or obtaining the highest honours of the State. But Your Honours are aware, that no such anomaly can possibly occur even in this land of anomalies: for, in order to keep the fountain of justice pure and unsuspected, and to maintain a becoming respect for this Honourable

Court throughout the country, this Court has found it both expedient and necessary to protect itself from the intrusion of any such individuals; insomuch, that not only is it incompetent for an emancipated convict to sit on that bench with Your Honours as a judge, or to plead in this Court as a barrister, it is even incompetent for him to practise in the lowest rank of the profession as an attorney. And, if it is indispensably necessary for the public welfare, and for the interests of justice and morality in this colony, to protect this Court from the intrusion of emancipated convicts into any department of the legal profession, are not these interests equally concerned, and does not regard for the public welfare equally demand, that the situation of an Editor of a public newspaper shall be protected from a similar intrusion,—especially in an age like the present, in which the press claims for itself a species of absolute domination over all interests, over all classes of society, over all men? If a judge acts corruptly, he is amenable to justice, and may be impeached with comparative facility; if a barrister or attorney acts corruptly, it is in the power of this Court to strike him off the rolls: but if the Editor of a newspaper acts corruptly—if the director of the public press disseminates opinions that are subversive of the peace, and ruinous to the morals of society—by what law shall we bring him to justice? at what bar shall we impeach him of his moral incompetency? The interests of justice and the welfare of the public demand, therefore, that the situation of the Editor of a public journal shall be protected from the intrusion of incompetent persons, of persons in

whom the public cannot place confidence, just as much as the situation of an attorney, or of a barrister, or of a judge. And if a situation of such commanding influence in society, as that which secures to an individual the management of the press, is nevertheless intruded into by an individual morally and politically incompetent to hold it, one in whom the public can have no confidence, and who only employs his power for the injury of society, it becomes the duty of every honest man—of every man who has the welfare of society at heart—to impeach that individual of his incompetency at the bar of public opinion, as I have done the plaintiff in the article for which I am called to answer this day. In short, the man who would maintain that the restoration of an individual, upon whom the sentence of transportation has passed, to the rights and privileges of a free subject, renders that individual morally and politically competent for any situation whatsoever,—that man's motto is not *Fiat Justitia*, but *Ruat cælum*; or, in other words, 'Let all the distinctions that subsist in civilized society be done away with; let those land-marks, which the Eternal has established between right and wrong, be entirely removed; and let the world revert to that state of chaos in which it existed ere the Creator said *Let there be light*, and separated the light from the darkness.'

“ ‘I am no lawyer, and cannot appeal to legal authorities; but I appeal to Your Honours, whether there are any to refer to in this particular case: nay, I am confident there is not a single case in all the law-books in England, of an emancipated convict assuming the

management of the press. I shall take the liberty, however, of citing one or two cases from the ancient classics, to point out in what manner public opinion usually operated, in excluding individuals, in the condition of the plaintiff, from situations of influence and prominence in society, even when the standard of public morals was pitched far lower than it is in Christian nations. In the reign of the Emperor Augustus, a freedman, who had somehow acquired an immense fortune in the city of Rome, conceived himself entitled, on the ground of his wealth, to occupy one of those seats in the Roman amphitheatre, that were appropriated, by the law of Otho, to Roman citizens of equestrian rank. The poet Horace, observing the circumstance, was moved with indignation at the individual, and, in an ode on the subject, addressed him in such terms as the following :—

Ibericis peruste funibus latus,

Et crura dura compede ;

‘Thou who hast undergone corporal punishment, and whose legs have been bound in double irons, how canst thou presume to assume the rank and place of the honourable citizens of Rome?’ During the same emperor’s reign, a regiment of Roman soldiers had allowed themselves to be taken prisoners by the enemy—a circumstance which was held much more disreputable in ancient than it is in modern times ; and the government had resolved not only to ransom them from the enemy, but to restore them to their place among the troops of the line. Horace felt as highly

indignant at the measure as he did in the case of the freedman, and in a beautiful ode on the subject he thus writes :—

Flagitio additis
 Damnum. Neque amissos colores
 Lana refert medicata fuco :
 Nec vera virtus, quum semel excidit,
 Curat reponi deterioribus.

‘The restoration you propose is not only disgraceful, but a serious loss to the commonwealth. Wool, when once dyed, never recovers its original colour ; and when a virtuous character is once lost, it cannot be restored.’ I should be sorry to subscribe to these sentiments in their full extent : I only quote them to show, that public opinion has operated in all countries, in excluding, from situations of prominence and influence in society, men who have once degraded themselves by their criminality in the eye of the law. And to show Your Honours that the object of the article, which is stigmatized as a false, scandalous, and malicious libel, was nothing more nor less than to establish this important principle, I shall take the liberty of reading another extract to the following effect :—

“ There are certain situations of importance to the public in this colony, which an emancipist cannot hold, however irreproachable his subsequent conduct. He cannot, for instance, hold the situation of a judge of the Supreme Court ; he cannot plead as a barrister in that court ; nay, he cannot even practise as an attorney. Again, would the Archdeacon attempt to place an emancipist, however irreproachable his colonial cha-

racter, as Episcopalian chaplain in any district of the colony? Would the Roman Catholic Vicar appoint such a person as a Roman Catholic priest? Or would the Scotch Presbytery ordain him as a minister of one of the colonial churches in their communion? We think not. There would be a precious outcry over the whole colony, if any such preposterous attempt were to be made. And is the situation of an editor of a newspaper of less importance to the community in this literary age—this age of the despotism of the press—than that of an attorney? or than that even of a district colonial chaplain? We are not likely to form a lower estimate of the clerical office than other men; but we hold it a matter of as paramount importance to the public, that in an age like the present—teeming as it is to overflowing with the principles of revolution and infidelity—the press should be in the hands of right-principled and right-hearted men, as it is that such men only should have access to the pulpit. And if a sincere regard for the public welfare on the part of the government on the one hand, and of the colonial ecclesiastical authorities on the other, precludes the emancipist from practising in the courts of law, or from officiating at the altar; why should he be allowed to have the management of an engine which has evidently far more influence on a large portion of this community than either the pulpit or the courts of law—an engine which, if not under the vigorous and active management of men of sound principle, is sure to scatter *firebrands, arrows, and death*, and

to diffuse a moral pestilence over the whole face of society."

" ' It will doubtless be argued in reply, that to exclude emancipated convicts from any situation in society which they have ability to occupy, is repugnant to those principles of charity that distinguish the Christian religion, and that therefore the right hand of fellowship should be held forth to help the emancipated convict over the stile, into every situation which a free-man, on whom the sentence of transportation has never passed, may lawfully occupy. But Your Honours are well aware that there is a spurious charity in the world, which often passes current for the true ; and that individuals can never have claims upon our charitable feelings inconsistent with the exercise of justice to society at large. ' Jampridem, equidem,' exclaimed the famous Cato in the Senate House at Rome, when Julius Cæsar, who was afterwards emperor, was pleading for the manifestation of charitable and kindly feelings towards the men who had been engaged in Catiline's conspiracy ; ' Jampridem, equidem, nos vera rerum vocabula amisimus ; quia bona aliena largiri liberalitas, malarum rerum audacia, fortitudo vocatur : eo respublica in extremo sita. Sint sane, quoniam ita se mores habent, liberales ex sociorum fortunis ; sint misericordes in furibus ærarii : ne illis sanguinem nostrum largiantur, et dum paucis sceleratis parcunt, bonos omnes perditum eant.'—' It is long, indeed, since we lost the proper designations of things : for, to make free with and to squander away other people's property is

now called liberality, and the audacity that perpetrates the most flagitious actions is styled boldness and spirit: at such a pass, in regard to virtuous feeling, has the commonwealth arrived. But if public feeling, if public morals, are indeed in so low a state, let men be liberal, if they please, with their own property, and with that of their friends; let them show their kindly feelings, if they so incline, to common thieves and robbers: but let them not sacrifice our best interests to persons of this description; and while they manifest a benignant disposition to a few miscreants, let them not devote the whole class of reputable men to one common ruin.'

“ ‘ Particular stress is laid in the plaintiff's affidavit, on that part of the article in which it is asserted that the plaintiff is not a reformed character. I shall read the portion of the article to which the plaintiff particularly refers:—

“ We are aware we shall be met with the argument which was once used by the late Mr. Robert Howe himself, when, relating the circumstances of his own conversion at a public meeting in the Wesleyan Chapel, he observed with a pardonable degree of self-complacency, ‘ Tell me not what I was, but what I *ham*.’ We shall be told that Mr. O'Shaughnessy is a reformed personage: we deny that he is so. A modest retiring disposition is the uniform accompaniment of sincere penitence, of genuine reformation; and we maintain, in the face of the whole colony, and without the least fear of contradiction, that if Mr. O'Shaughnessy had possessed such a spirit in any degree, he

would have shrunk back from a situation of such peculiar prominence and responsibility, as that of Editor of the 'Sydney Gazette,' even although it had been injudiciously offered him, on the one hand, and though he had been quite fit for it, on the other.

“The brazen-faced impudence of the man who could presume to step from the situation of government-man or assigned servant to the late Mr. Robert Howe, into that of Editor of 'The Sydney Gazette,' or, in other words, literary dictator to the lieges in this colony; and could set himself down in a sort of magisterial chair, to pronounce authoritatively on the character and actions of reputable men, and to issue forth opinions to a gaping public, thrice a-week, on matters of government and legislation, sufficiently proves that he has no right or title to the epithet *reformed*, and that he is just as bad at heart as when he was *legged** in Dublin. And has His Majesty's colony of New South Wales indeed come to such a pass, that we must all be *schooled*, forsooth, by a fellow like this?”

“ ‘Why, when your Honours consider what sort of an engine the press is, and what sort of jurisdiction it claims over all classes of society, over all interests whatever, I am sure your Honours will admit that a really reformed emancipated convict would never presume to assume the management of such an engine, or the exercise of such a jurisdiction. And yet the plaintiff has the assurance to come to your Honours to demand the punishment of the writer of this article, because,

* The cant word for *apprehended* or *convicted*.

forsooth, it has a tendency to injure him *in his trade or profession!* Why, if he ventured to carry on such a trade, or to exercise such a profession in England, the populace would have him burnt in effigy for the insult he had dared to perpetrate on the virtuous feelings of the community.

“ ‘I submit then to your Honours, whether the article for which I am this day called to answer, as a false, scandalous, and malicious libel, is, in any respect, either false, or scandalous, or malicious; and whether it is not rather a fair comment on the principle or text which it proposed to establish,—viz. that an emancipated convict, that is, an individual who has once been transported to this colony for his crimes as a felon, is morally unfit, and politically incompetent, to undertake the management of the press in this convict colony.

“ ‘But the plaintiff has not only imputed malice to myself, as the writer of the article referred to, but has made affidavit that he had given me no provocation. Now, although I can assure your Honours, that not a line of that article was written from malicious feelings towards the plaintiff, or under the influence of personal provocation, but that it was written merely to establish a principle of the utmost importance to the welfare of this community; it is not true, as is stated in the plaintiff’s affidavit, that he had given me no provocation: for months before the article was written, ‘The Sydney Gazette’ was filled with papers and paragraphs of every description, written in a style of the most personal and provoking hostility towards myself. I made it a rule indeed not to read such articles,

nor even to look at 'The Gazette' at all; and it was only when some particular paragraph was forced on my attention, that I came to know any thing of it: but having very recently had occasion to look over a file of the plaintiff's paper, with a view to this defence, I can assure your Honours, I had to encounter a perfect dunghill of personal abuse. In such circumstances, I submit to your Honours whether this Honourable Court is not called on to discourage and to put an end to such prosecutions as the present, on the part of such individuals as the plaintiff. I shall read the following extract on this subject, from the article so often referred to:—

“The other circumstance, indicative of the low despicable state of the colonial press, is the rabid desire, so long evinced by its respective Editors, to prosecute one another before the Supreme Court for defamation of character. There is nothing of the kind known in England. The Editor of a public journal there trusts to his own pen, and to the acknowledged respectability of his character, when unjustly attacked. But English Editors are generally gentlemen; we can only *wish* they were all so here. The peculiar sensitiveness of the colonial tribe, as to character, is both amusing and instructive. When an honest man walks along the highway, and hears a fellow shouting out *unprincipled ruffian*, he walks on peaceably, conscious that the epithet must be meant for somebody else, as it cannot possibly apply to him. Nay, if the impudent knave stops short in his very path, and repeats the obnoxious expression to his very face, instead of making a fuss

about it, he will probably merely say, ‘Get out of the way, sir; do you wish to provoke me to knock you down?’ But whenever certain colonial Editors hear such words, or words to the same effect, in their editorial walks, they instantly stop short, and stand with their ears pricked up, like a horse listening to a trumpet; for their conscience tells them that *the phrase does apply to themselves*; and therefore, whenever they can identify the speaker, they have him up forthwith before the Supreme Court, to get him punished, under the famous *Lawyer’s Act*, or Law of Libel, for telling the truth.”

“‘It will doubtless be maintained, that the character of my article, and the course I have taken in this defence, are inconsistent with the genius and spirit of the Christian religion: but that religion, which was designed for the reformation of mankind and the moral renovation of the world, carries in it terrors to evil-doers, as well as praise to those that do well; and there is nothing for which it ever evinces a deeper anxiety, than that the fountains of knowledge and the sources of instruction should be kept pure and uncorrupted.

“‘Individuals will also be ready to maintain, that my article and my defence both evince a spirit of hostility towards the whole class of emancipists. On this subject, I beg to read the following paragraph from the article itself:—

“‘If any evil-disposed person should assert, that these remarks have been dictated by a feeling of hostility to the whole class of emancipists, we have only this short

answer to give—It is false. We will yield to none in our earnest and sincere desire to elevate the character and to promote the best interests of the emancipists generally, and especially to give all due countenance to the virtuous and well-disposed portion of that class of our colonial population, in contradistinction to the worthless and the vile: but, if the circumstance of having ever been a convict disqualifies a man for the bar or the pulpit, we maintain, with the best of feelings towards the emancipists generally, that it ought to disqualify him also for the management of the press. There are five hundred other situations in the colony in which an emancipist may earn his bread and find employment, creditably for himself and beneficially for the public: why then should he be suffered to intrude himself into a situation in which his very presence is an argument, not against his own class in particular, but against the whole colony, in the Parliament of England?”

“ ‘ During the whole course of my residence in this colony, I have ever exhibited the most kindly feelings towards the emancipists; and as a writer on the actual state of the colony, I have not only evinced the propriety of extending the elective franchise to all respectable persons of that class, but maintained their eligibility to sit as members of a future House of Assembly—a situation to which I trust I shall ever be held ineligible myself as a minister of religion.

“ ‘ But if it should be represented as inconsistent with the character of a minister of religion, who, it will doubtless be alleged, ought always to be meek and

lowly, like his Master, to assume the vindication of the rights of the public and the claims of virtue in this particular instance, I beg to observe, that there are occasions on which this mild and gentle demeanour is as unbecoming a minister of religion, as an opposite demeanour is on all others. When the divine Author of Christianity found the temple at Jerusalem polluted with the presence of unworthy persons, did he merely go up to them, and request them in a very mild manner to walk out? No! he made a whip of small cords, and scourged them from within the sacred precincts: and I submit to your Honours, whether I have been doing any thing more, as a minister of religion, than merely acting on this precedent and following up this example, in endeavouring, in the article for which I have this day been called to answer before Your Honours, to cleanse and to purify the press in this colony.'

"On the conclusion of this speech, which was listened to throughout with the most profound attention, the Chief Justice, after conferring for a few minutes with the other Judges, observed, that the Court, exercising the functions of a Grand Jury, but without entering into the merits of the case, conceived there was sufficient matter upon the plaintiff's affidavit for referring the case to a Jury, and would therefore make the Rule absolute.

"There was an unusually large number of the respectable inhabitants of Sydney present during the proceedings, which appeared to excite the deepest interest. The reading of certain parts of the obnoxious article, especially the passage containing an extract of an

imaginary speech in the House of Commons, by Mr. Watt's late master, Mr. Morrison, gave general amusement: even the stern visage of Mr. Wentworth, counsel for the plaintiff though he was, was occasionally relaxed into a smile at the expense of his client. At all events, nothing could possibly have happened in the colony more strongly calculated than this prosecution, to advance the object for which the obnoxious article was written, or eventually to raise the character of the colonial press. The case has excited intense interest in all quarters, and we have reason to believe, that the result has been a general acquiescence in the soundness of Dr. Lang's position. Mr. O'Shaughnessy, it seems, has taken the hint, and made his exit from the 'Gazette' Office; and although he has left a ticket-of-leave man virtually in his place, we shall not consider our task accomplished till we have put down that enormity also."

Although *the Rule* (to use the technical phraseology) *was made absolute*, the colonial judges having no discretionary power in such matters; and although a criminal action was consequently allowed to be instituted in the case, no such action was ever commenced; Mr. O'Shaughnessy and his friends having wisely concluded that it was not prudent to venture their cause on a second hearing. The moral effect of the whole proceeding, however, on the colony generally was powerful and instantaneous: the sentiments to which expression had been given—for the first time in the history of the colony—were immediately recognised and adopted as those of all reputable men in the community; O'Shaughnessy

was driven from the office he had usurped by the force of public opinion ; and the emancipist interest—as distinct from the interests of all virtuous men in the colony—received a shock, from the paralyzing effects of which all the eloquence of a Bulwer* will in vain attempt to retrieve it. In fact, that interest, which had been predominant in New South Wales for twenty years before, began to sink rapidly from the moment of O'Shaughnessy's ill-judged application for a criminal information to protect the convict press of the colony ; and it has already very nearly reached the humble level of absolute insignificance.

The convict Watt, however, having in the mean time ingratiated himself into the favour of the proprietrix of 'The Sydney Gazette,' whom he was afterwards permitted to marry, still exercised the whole management and controul of that paper ; and in order expressly to dislodge him from this situation, his trial at the Old Bailey was republished from 'The London Criminal Trials for the year 1828,' in the 'Colonist' of May 21st, 1835, prefaced with the following article on

“ THE LITERARY PROFESSION, OR, THE COLONIAL
PRESS.

‘When bad men combine, the good must associate ; else they will fall, one by one, an unpitied sacrifice in a contemptible struggle.’—BURKE.

“ WE are indebted for this highly appropriate motto to 'The Sydney Gazette.' It stood prefixed to the leading article in that Journal on the 8th of April, 1834,—a

* Mr. H. L. Bulwer, M.P. is the volunteer parliamentary agent of the emancipist interest of New South Wales.

time when 'The Sydney Gazette' was notoriously under the joint editorial management of an emancipated convict, of extremely doubtful character, and a ticket of leave man, of the utter worthlessness of whose character there could be no room to doubt. For, after having been outlawed in Scotland for certain fraudulent transactions in the city of Edinburgh, in the year 1825, and transported from London for transactions of a similar but still more flagrant character, in the year 1828; and after having served for some time on his arrival in this colony at the penal settlement of Wellington Valley, pursuant to the express orders of the present Premier, who was then Secretary for the Home Department; the individual we allude to obtained from the late Governor a ticket of leave for the district of Sydney,—a place which, if General Darling had only obeyed his orders, and thereby discharged his own bounden duty to this community, he would never have been suffered to come within a hundred miles of, till he had completed the full term of his original sentence,—and was actually cohabiting with a convict woman illegally at large, if not at the very time, at all events either shortly before, or shortly after, the time when himself and his worthy associate had the almost inconceivable impudence to prefix the motto we have given above to a leading article of their joint manufacture! When Jeroboam, the son of Nebat, who made Israel to sin, wished to detach his subjects from the worship of the true God and the loyalty they owed to the house of David, he got two golden calves manufactured, and, setting them up with great pomp

in the presence of the people, said, *These be thy Gods, O Israel!* In like manner, when Mrs. Anne Howe wished to perform a somewhat similarly meritorious service to the colonists of New South Wales, she metamorphosed an individual in her employment, who had been her late husband's government-man, and the ticket of leave man of whose life and manners we have just given an abridgment, into the joint managers of her old-established paper; saying, virtually, if not actually, to the wondering community, 'These be thy friends, philosophers, and guides, O thou long-eared colony of New South Wales!'

"In a former article on the subject of the colonial press, we showed that it was not only disreputable and disgraceful to the colony, to allow such a man as Mr. Edward O'Shaughnessy to guide the opinions of this community, as the editor of a public journal, but that such a circumstance was itself the most serious obstacle that could possibly exist to the attainment of those free institutions which every true friend of the colony, whether free emigrant or emancipist, is so earnestly desirous that it should speedily obtain; and that it would only require a little address, on the part of any able member of the House of Commons, to employ that single circumstance in such a way as most effectually to defeat every petition for a House of Assembly that might emanate from the colony for ten years to come. If such be the fact, what an overwhelming effect would it not give to the representations of Mr. Morrison, one of the members of

Parliament for the city of Ipswich, or of any other member who might feel disposed to set aside the arguments of Mr. Bulwer, in advocating the claims of this colony to a colonial legislature, or even to render that gentleman himself completely ridiculous, were Mr. Morrison able to add, that in discharging the duties of his high and highly responsible office of 'friend, philosopher, and guide' to the colony of New South Wales, Mr. O'Shaughnessy was assisted by a ticket of leave man, of whom he had been unfortunate enough to have some knowledge himself, and who, he could assure the House, was one of the most thoroughly worthless and dangerous persons of his class that had ever been transported to New South Wales! Nay, if Mr. Morrison were enabled to state, that these two individuals—the emancipated convict and the ticket of leave holder—had the impudence to quote the sentiment which stands at the head of this article, and to apply it to themselves as *an association of good men*, forsooth, in contradistinction to the really reputable portion of this community; and to issue forth editorial bulletins three times a week on such subjects as the transportation system, penal discipline in the Australian colonies, the mutual relations and correlative claims of free emigrants and emancipists, ticket of leave men and convicts; and to sit in judgment on all the measures of the colonial government, and to endeavour to overwhelm with abuse every honest man who refused to subscribe to their opinions, or dared to proclaim their own worthlessness to the peo-

ple of this colony ; the feeling of contempt that would naturally arise in the breast of every member of Parliament towards the members of a community, which allowed such individuals to retain the management of its press, would be succeeded by a feeling of general indignation and thorough disgust. Nay, it would perhaps even be made a matter of question, whether the member of Parliament who could offer such an insult to the House of Commons, as to propose to grant a House of Assembly to a community apparently so utterly destitute of honourable and British feeling, did not deserve immediate expulsion."

Watt's subsequent history in the colony is briefly contained in the following paragraphs, which I shall take the liberty to quote, as a most appropriate illustration of the character and tendency of a convict press, from a work I have recently published, and which has been already referred to, on 'Transportation and Colonization.'

"Watt was at length tried in the Supreme Court of the colony, at the instance of the proprietors of the 'Herald' newspaper, on a somewhat singular charge. In the year 1834 an anonymous letter had been written for publication in that journal, reflecting on the character and conduct of an individual in Sydney, who had formerly been a convict, but was then free. In the hurry of business it was put in type ; but, on being read for correction, it was found to be libellous and unfit for publication, and was consequently suppressed. Watt, who was then sole manager in the 'Gazette' Office, got

intelligence of the circumstance ; and being desirous of having the proprietors of the 'Herald,' who were reputable free emigrants, subjected to an action for libel—a course, which, in a colony abounding in needy and rapacious lawyers, is not unfrequently resorted to by artful villany and conscious worthlessness, as an approved instrument of torture for honest men,—bribed an emancipated convict compositor in the 'Herald' Office to steal for him a proof or printed copy of the suppressed article ; which he immediately enclosed in an anonymous letter, written in a feigned hand, and transmitted through the colonial post to the person to whom it alluded, that its being forwarded through so public a channel might be pleaded as a legal publication. The action was accordingly instituted, but was eventually lost ; its main object, however, being gained to a certain extent, in subjecting the parties interested to much inconvenience and considerable expense. It was more than eighteen months afterwards when Watt's villanous procedure in the whole matter came to light. On its being discovered, he was tried in the Supreme Court on a charge of felony, but was acquitted ; the jury consisting partly, if not chiefly, of emancipated convicts. His acquittal was hailed by the worthless portion of the community—convicts and emancipated convicts, of the lowest grade—as the triumph of their principles and party ; but His Honour, Mr. Justice Burton, who presided at the trial, having represented to the Governor, from the facts elicited in the course of it, that Watt was an unfit person to be allowed to

remain any longer in Sydney, His Excellency ordered him forthwith to Port Macquarie, a subordinate settlement about two hundred miles to the northward.

“ In the course of his defence in the Supreme Court, Watt had made an outrageous attack on a magistrate of the territory, who was in no way connected with the affair. For this outrage he was called to account before the Sydney bench of magistrates, to whose summary jurisdiction he was amenable, as a convict holding a ticket of leave. The outrage, it appeared, was not punishable ; but various other charges being exhibited against Watt, the magistrates determined to enter into them at length. The investigation that ensued lasted many days ; and in the course of it, Watt’s whole manner of life in the colony, and the countenance he had been receiving from certain officers of government, fully appeared, notwithstanding a formidable array of perjury and chicanery of every description, which were sedulously employed on his behalf. To the utter astonishment of the colony, however, several of the most respectable magistrates of the territory, who had been concerned in conducting the investigation, and who had, perhaps, acted in the matter with greater zeal than prudence, were shortly after publicly dismissed from the commission of the peace !

“ On his arrival at Port Macquarie, Watt obtained permission to marry the widow of the former proprietor of the Gazette, whose valuable property he had reduced to the brink of ruin ; and having subsequently succeeded in ingratiating himself into the favour of the police magistrate of the settlement, he was the means

of sowing so much dissension between that officer and the harbour-master, that a commission of inquiry had actually to be appointed to proceed to Port Macquarie in the month of May last (1836), to investigate their mutual criminations. The result of that commission was the dismissal of both of these functionaries, and an order for the immediate cancelling of Watt's ticket of leave. On being apprised of this order, Watt absconded; and the last account of him, in August 1836, was that he had been apprehended, and flogged as a runaway! *

“ Now, that a criminal like Watt, who ought unquestionably to have been doomed for a long period to hard labour and solitary confinement, should have been allowed to occupy a station of such commanding influence, as that individual attained so very lately in the penal colony of New South Wales, even during the period of his sentence of transportation,—subjecting the characters of various officers of His Majesty's Government to general suspicion, from alleged connivance at his delinquencies; occasioning the dismissal of various respectable magistrates from the commission of the peace, for investigating these delinquencies somewhat too minutely; occupying the time of courts of justice and benches of magistrates for weeks together, and thereby commanding all the while the exclusive attention of the press and the public; and finally raising up a formidable party in the colony for the countenance and protection of vice and villany;—

* He has since been drowned at Port Macquarie.

that a state of things, implying so enormous a perversion of justice, should be permitted to subsist at the present moment in any part of the British empire, is (to say the very least of it) as strange in itself as it is disreputable to the British nation. Talk of the tendency of transportation as a species of punishment ! It would, indeed, have been miraculous if transportation had been found conducive in any degree to the prevention of crime and the reformation of criminals, under a system of management so thoroughly monstrous."

There were various other objects of great importance to the colony of New South Wales, to which the efforts of 'The Colonist' journal were successfully directed ; such as the re-establishment and revival of the Australian College, which had sustained a considerable shock from the unexpected desertion of the Rev. H. Carmichael ; the discontinuance of the system of female emigration, which was rendering the whole colony, and especially the town of Sydney, a sink of prostitution ; and the arousing of the reputable portion of the colonists generally to a due sense of the vast importance of the revenue arising from the sale of the Crown lands of the colony, as a means of promoting their best interests, through the importation of a numerous, industrious, and virtuous free emigrant population.

There was another effort, however, on the part of 'The Colonist' journal, of much greater difficulty than any of these ; of which, moreover, as it has recently excited some attention, and led to some inquiry, on the part of the Committee of the House of Commons on

Transportation, at present sitting,* I shall briefly detail the particulars.

The practice of concubinage, and the general profligacy of manners to which it leads, had been gradually disappearing from the face of colonial society during the ten years previous to the year 1833. About that period, however, the system of female emigration having come into operation, and that system having introduced into the colony a very large number of most abandoned females, together with not a few others of questionable virtue, picked up, wherever he could find them, in the whole three kingdoms, by Mr. John Marshall, the agent of the London Female Emigration Board, this demoralizing practice began to revive, and scenes of the most outrageous profligacy to be exhibited. It was therefore to the putting down of this practice, and to the establishment of a high standard of morals throughout the colony, that the principal efforts of 'The Colonist' journal were for some time directed. With this view, certain cases either of peculiar notoriety or of a peculiarly offensive character were indirectly and variously exposed; and the effect of such exposure, in other cases of a less flagrant character, was equally salutary and gratifying. For although two of the cases I allude to led to certain law proceedings in the colonial court, the moral effect produced on the community at large was not the less beneficial.

One of these cases excited intense interest in the colony. It was that of Mr. John Thomas Wilson, the managing partner in an extensive Sheffield house in

* I have had the honour to be examined by that Committee for three days successively.

Sydney. This person had for several years been one of the most prominent individuals of our colonial community; being a leading member of all the joint-stock speculations of the country, and either secretary, treasurer, or honorary member of almost every religious or philanthropic society in the colony. It was ascertained, however, by the parties connected with 'The Colonist' journal, that he had not only ruined a young Scotchwoman of the name of Cavill, the sister of one of the free emigrant Scotch mechanics whom I had carried out to the colony to erect the Australian College Buildings, in the year 1831; but that, after sending that young woman clandestinely home to her friends in Scotland, with a promise, forsooth, that he would very soon follow her and marry her there, he had taken under his protection a woman of the name of Taylor, who had deserted her husband in Van Dieman's Land, and come to New South Wales to practise as an actress. Wilson had even proposed to take the Sydney Theatre for this woman; and in various ways his profligacy was ostentatiously obtruded upon the public, while his procedure towards the relatives of the young Scotchwoman had been peculiarly distinguished for its heartlessness and enormity. In short, the case of this individual appeared to the parties connected with 'The Colonist' journal eminently deserving of exposure, as well from the prominence of the delinquent as from the character of his immorality. The following *jeu d'esprit* was accordingly published in that paper on the 31st of March, 1836; and, in a subsequent number, a letter was inserted from the young Scotchwoman's brother, de-

tailing, in a very artless and affecting manner, Wilson's unprincipled and profligate procedure.

THE FAMILY MAN;

A NEW SONG.

To be sung at the next Concert

BY A MEMBER OF THE ARTILLERY CORPS.

TUNE—*We 'll run the risk for a' that.*

John Thomas was a Shropshire man,
And eke a worthy nailer ;
He had a stout-built portly frame,
And his flame she was a *Taylor* ;
Who, though she tried to fasten John
In Hymen's pleasant noose,
Found to her cost, alas ! that he
Was not a *Taylor's* goose.

She bound him with a silken cord,
And then a cord of cotton ;
But silk and cotton, flax and tow,
Snapp'd as if each were rotten !
She took to pouting then, and vow'd
She 'd sooner die of hunger,
Than e'er be bound with *bullock chains*,
Or wed an *Ironmonger* !

“ What is 't you say ? ” said he, as she
Stood bolt upon *the boards* ;
“ You 're tenfold happier than if kept
By half a dozen lords.

There 's not a show-room in the place
Can be compared with mine ;
There 's not a woman on the town
Has such a lot as thine.

“ Why, there ’s the Sydney Theatre,—

Its owners wish to let it ;

’Twould be the noblest spec of all,

If we could only get it.

We ’d take it either by the week,

Or by the month or year ;

And there ’s my good friend B——n,

Will back us out, my dear.”

Said Parson H—— one day, as they

Were riding in their carriage,

“ Why, you ’ll disgrace us all, friend John,

If you don’t make this a marriage.

The thing has got about the town,

In fearful notoriety ;

And, mind, we ’ll turn you out of each

Religious Society.”

John Thomas blush’d, and said ’twas strange

How idle people CAVILL,

But he would tell him all the truth

And the whole case unravel.

He would have married long ago ;

(He ’s of the marrying kidney :)

But when one has a wife at home,

He can’t have one in Sydney.

The sensation produced in the town of Sydney, and indeed all over the colony, by the publication of this little *jeu d’esprit*, was quite unprecedented ; the parties concerned being known to every body, while the allusions were universally intelligible. Within two hours of its publication Wilson applied in person to Mr. Bull, the editor of ‘The Colonist,’ for information as to its authorship ; and on being refused such information, he

committed a violent assault on Mr. B., who was in a very delicate state of health at the time, in one of the principal streets of Sydney. Mr. B. immediately commenced an action of damages against Wilson, in the Supreme Court of the colony; and on the case being tried before Mr. Chief Justice Dowling and a special jury, a verdict of £5 damages was given for the plaintiff. That verdict was justly regarded by Wilson and his friends as a complete triumph, and was accordingly interpreted by the virtuous portion of the community as a demonstration, on the part of the jury, of their fixed determination to countenance and to maintain the vile system of outrageous profligacy of which Wilson formed so conspicuous a part, and to discourage every effort to put it down. There was less difficulty in arriving at this conclusion than there might otherwise have been from the composition of the jury itself; as two of the members of that body were of the class of emancipists, of whom one, if not both, had himself lived for many years in a state of concubinage; while certain of the free emigrant Sydney merchants, who formed the larger portion of the remainder of the jury, were themselves actually living at the time in the same disreputable state, with certain of Mr. John Marshall's free emigrant females. As the real question, therefore, which had been before that respectable body, was whether such a system should be kept up for the future or put down, (it being evident on all hands that there was no other method of putting it down than the one which 'The Colonist' had adopted,) it was deemed expedient and necessary for the moral welfare of the colony to coun-

teract the evil influence of such a verdict, and to prevent the establishment of such a precedent as it afforded, by indicating the polluted source from which that verdict had unquestionably flowed. This was accordingly done in the following remarks on the subject, which were published in 'The Colonist' immediately after the trial.

“ The case of the editor of this paper *versus* the notorious John Thomas Wilson, for an aggravated and brutal assault perpetrated in the public street, was tried before His Honour the Chief Justice and a special jury yesterday afternoon. The fact, and the aggravated nature of the assault were proved by the second police magistrate; the delicate, and even dangerous state of health of the editor of this paper at the time the assault was committed was also proved by the testimony of Dr. Nicholson; and it was even admitted by the defendant's counsel, that at that very time he was impressed with the belief that Mr. Bull was not the author of the *jeu d'esprit*, under the title of 'The Family Man,' which had appeared in this journal, and provoked the wrath of the notorious debauchee. And yet so delicate is the sense of propriety of a New South Wales special jury, or rather, for we must speak it out, so strong is their sympathy with all that is vile and villanous in outrageous profligacy, and in cold-blooded and heartless iniquity, that they consider five pounds a sufficient compensation to the husband of a virtuous wife, and the father of a reputable family, for a grievous assault committed upon his person in open day, and in the open street of a town, by an individual whose advance in profligacy has kept pace with his success in business, and who after practising the most nefarious arts to accomplish the ruin of a virtuous female, and to destroy the peace of a respectable family, wipes his mouth, and is even applauded by the wretched creatures in the shape of ladies and gentlemen who frequent that sink of iniquity, the Sydney play-house, when holding parley with his adulterous paramour on the very boards! Talk of the jury system after this! Oh, no. Mr. Justice Burton, an emancipist jury for us after all! a jury of Moreton Bay men or Norfolk islanders. We shall be satisfied with any jury now! And if that worthy character, Jack the Slapper, who carries certain orders of their Honours into effect in the rear of the Sydney jail, should be made the foreman of a jury in our next case, we shall at least promise ourselves as good a verdict as that of the special jury in the case in question. If the jury had even taken fifteen minutes to de-

liberate upon their verdict, we might have supposed that at least one solitary individual of their number had lifted up his voice in favour of the interests of morality, and had maintained his ground for the long period of thirteen minutes and three quarters in behalf of public virtue. But the men were of one heart and of one mind in the matter. They allowed themselves no time for deliberation; for as soon as that *worthy* jurymen Mr. —, who keeps at least one concubine, in the neighbourhood of Darling Harbour, and who, of course, could not but have a fellow feeling for the *worthy* defendant, had reminded the other jurymen of the sage remark of Mr. Counsellor Therry, that 'what was John Thomas' case to day might be theirs to-morrow,' the thing was decided at once, and out came *The Patriotic Association*, with a verdict of *Five Pounds* damages! Prodigious!

"There has nothing appeared since the commencement of this journal more strikingly illustrative of the direct patronage which the most outrageous vice and villany may expect to experience in certain quarters in this here virtuous colony, than this verdict. We have even heard, that it is intended to present an address to the jury for their services to a certain cause in the matter, and that it is to lie for signature for three days successively in every house of ill-fame in Sydney. As a specimen of the sort of influence which such a verdict as the one we wot of will naturally have in a community like this, we shall conclude this notice by merely mentioning the following incident. As soon as the verdict was announced, a drunken creature of an attorney, of the name of Foster, who had been paragraphed in this journal a few weeks ago, for publicly exposing his person in a state of intoxication, hied him off from the precincts of the Supreme Court to one of his haunts in the neighbourhood, and returning forthwith, actually met Mr. Bull, as he was descending the steps at the principal entrance of the Court, with a large horsewhip in his hand, threatening him with a personal application of it, as John Thomas had done; observing, very significantly, that it could only *cost him five pounds*. Mr. B. immediately applied to the judge, who granted a warrant for the horsewhipper's apprehension. We have no remarks to make on such an occurrence. The observation was as shrewd as the verdict was significant."

These remarks were considered by His Majesty's Attorney-General as a contempt of Court, and were complained of accordingly by that high functionary before his Honour Judge Dowling, who sentenced the editor

of 'The Colonist,' notwithstanding his solemn disavowal of any such intention, to a fine of £100 sterling, and imprisonment till it should be paid; commenting on the *enormity* of his offence with all the unseemly bitterness which that dispenser of colonial justice, who had acquired his own code of morals in the capacity of reporter to the London daily press, has uniformly evinced wherever 'The Colonist' and the cause of colonial morality have been concerned—with all the bitterness in fact which it is conceivable for a judge to manifest in any case, in accordance with a due regard to his oath of office. As a proof, however, that it was the general impression, on the part of the virtuous portion of the community, that the moral sense of the judge had been as obtuse as that of the jury, the whole amount of the fine to which the editor of 'The Colonist' was thus subjected was paid by the public within a few hours after the sentence was pronounced; while the mercantile house to which Wilson belonged, finding that in the improving moral temper and spirit of the colony their continued connexion with that individual would materially affect their business, gave him a large steamboat which they had recently purchased, to get rid of him altogether.*

* A new trial had in the mean time been applied for by the Attorney-General, on the ground of misdirection on the part of the Judge; but it was not granted, although the judges were unanimous in expressing their strong disapproval of the verdict. The following were the very apposite remarks of His Honour Judge Burton on the occasion:—

“The situation of an editor of a newspaper is a peculiarly arduous one; he possesses no legally-constituted right to become the *censor morum* of the community, such as is possessed by a judge on the bench or a

At all events it must be evident, from the cases I have detailed, that public opinion—I mean the opinion

clergyman in the pulpit; the law does not throw that shield around him that it does around those who possess that right. The assumption of the office is voluntary, and the person assuming it exposes himself to such attacks as these. But when an editor honestly discharges his duty in upholding virtue and exposing vice, in showing 'the very age and body of the time, its form and pressure,' where can he better look for protection, or from whom has he a better right to demand it, than from a jury of his country.

“ He had taken the liberty of expressing his dissatisfaction with the verdict of the jury; he would therefore state his reasons for that dissatisfaction. He had attentively examined the evidence, and he could not discover any thing there that could have justified him in coming to such a decision. Every circumstance which appeared to have been urged in mitigation, would have been considered by him an aggravation of the offence. The article from which the provocation is alleged to have arisen, could not possibly have been considered as any mitigation of the assault. It was not even alleged that it was libellous; but if it had been, it was the duty of the defendant to have appealed to the laws of his country for redress. It could not be considered any cause of provocation, because it appeared from the evidence, that the assault was not committed on the impulse of the moment. On the contrary, the defendant had been aware of its publication four days previously; but it was seen that the assault was premeditated, that he had been lying in wait four days to commit the assault; this would therefore in his mind have assumed the form of a very serious aggravation of the offence. The assault it had been shown was a very outrageous one, and committed under very aggravated circumstances; he could not, therefore, conceive why the jury had returned such a verdict; he should have thought that such a verdict would afford a vast advantage to bold and wicked men over good and virtuous ones. He felt satisfied, from what had fallen from his brother judge who tried the case, that the jury had not been induced to return the verdict by misdirection on the part of the judge; he thought that the responsibility of the verdict rested solely between the jury and their God. If it had appeared that the judge had told the jury to consider the article as a false and malicious libel, without any qualification, he should have thought a new trial should be granted; but as he considered that the jury were solely responsible for the verdict, he was of opinion that the Court could not interfere with it.”

of reputable and virtuous men—is rapidly gathering strength in the colony of New South Wales, and that

The following remarks were inserted in 'The Colonist' of July 14, 1836, in conclusion of the whole matter.

“ Our remarks on the ‘ strange eventful history ’ of the last few days must necessarily be brief. We observe, however,

“ 1. That it has been allowed on all hands that the verdict of the jury, in the case of Bull *versus* Wilson, was an unwarranted and unjust verdict. Their Honours, the three judges, have declared as much from the bench, and one of their number, Mr. Justice Burton, in terms which, we trust, the jury themselves, as well as the public generally, will understand and appreciate. For our own part, we would much rather be the victim of such a verdict from the jury, than the recipients of such a censure from the bench.

“ 2. That the *onus* of that verdict lies either on His Honour the Chief Justice, or on the jury. His Honour, indeed, has endeavoured to shift off the onus entirely from his own shoulders—with what success we leave our readers to determine. His Honour, it seems, was impressed with the idea, or rather perhaps with the fear, that the jury would give *outrageous damages*; and therefore—What?—why! and therefore—he leant too much to the other side! We cannot, of course, divine what His Honour's wishes were on the occasion; but, if we could, we should have been able to ascertain a point which, we are sorry to say, must remain a mystery—viz., whether the verdict was not rather in accordance with His Honour's wishes, than with his fears. At all events, we are sure the jury will not thank His Honour for throwing the whole onus and responsibility of the verdict upon them. Legally, doubtless, the jury are the only responsible parties in the matter. Morally and virtually, however, that responsibility rests in some measure somewhere else. The jury, we have no hesitation in saying, took their impression of the case from the judge; and when they retired into their private room and resolved *instantly*—with the exception of one of their number who stood out for a higher amount, and who eventually succeeded—to give only a farthing damages, (such is the common report) that impression undoubtedly was, that the plaintiff and defendant in the case had only squared accounts with each other; the song (which had been characterised as a false, scandalous, and malicious libel) being, in their opinion, as outrageous as the assault.

“ 3. It will not do for Mr. Chief Justice Dowling to tell Mr. Bull, as

there is consequently a fair promise already afforded that that colony, debased as it has hitherto been

he does in his judgment on Monday last, that he was under the special protection of the Court, and had therefore no excuse for the remarks that were published in our paper of this day fortnight, after Mr. Foster, the attorney, (whether drunk or sober, we shall not inquire) had threatened him with a second assault, on the very threshold of the Supreme Court, and pleaded, as his motive or encouragement for such procedure, the outrageous verdict which had just been given for the brutal assault perpetrated by Mr. J. T. Wilson. Why, will any man suppose that the circumstance of being merely protected from a second assault, threatened by Mr. Foster, was any compensation whatever to the Editor of this paper, for the moral effect which Mr. Foster's threat demonstrated had been already produced on a thoroughly depraved community by that notable verdict?

“ 4. As it was not sworn by Mr. Bull that he was himself the writer of the objectionable remarks on the verdict of the jury, Mr. Dowling takes it for granted that he was not, and inveighs, in no measured terms, on the cool deliberate malice of the writer behind the scenes, who, forsooth, could not plead excitement, who had no right to feel in the matter at all, and who, if His Honour could only have got hold of him (ay, there was the pity!) would have been visited with a measure of punishment unexampled in the history of Courts of Justice. Admirable logician! Let us suppose, however, that the writer of the remarks had also been the writer of the famous *jeu d'esprit* out of which this whole affair has arisen, and that that *jeu d'esprit* had been written for the express purpose of inflicting needful castigation on a most conspicuous and notorious offender in this community, whose example was as contagious as his practice was infamous, and whom there was no other possible means of bringing to condign punishment,—what in such a case were the circumstances of that individual, when applied to to write a few observations on the issue of the trial which had just been concluded as this paper was going to press? Why, the *jeu d'esprit* we allude to had subjected the editor of this paper to a brutal assault at noon-day in the public street, the very report of which had, in the case of his virtuous wife, been attended with such trepidation and alarm as to be followed with distressing effects, to which delicacy forbids us to allude more particularly! On applying, moreover, to a Court of Justice for a legal remedy for that assault, the aggrieved and injured party is insulted with a verdict, which

through the demoralizing example of unprincipled and profligate men, will at no distant day become the source

their Honours themselves have characterised as altogether *unwarranted* by the evidence adduced, which certain respectable practitioners in the Supreme Court have designated as *infamous*, which many reputable and intelligent persons out of Court have styled *iniquitous*, but which we ourselves, being under legal *surveillance* at present, will only call *outrageous*! Nay, and to give edge to the insult, and to make the triumph of rampant iniquity to be felt by the victim of that verdict, he is threatened with a second outrage on the very threshold of the Supreme Court! In such circumstances the writer of the *jeu d'esprit* must have had 'the heart of a beast,' (to use a Norfolk Island expression,) if he had not felt exceedingly, and if he had not manifested that feeling in some way or other, in the few observations he was applied to to write on the subject of the verdict, at seeing a reputable family subjected to such unmerited indignity, to such mental suffering through his instrumentality. The writer of these observations was 'no disappointed suitor,' as His Honour Judge Dowling most inaccurately described him, in regard to the mere amount of damages awarded; for in that award he had no pecuniary interest, either direct or indirect. But he was interested in the award of damages in another and much more creditable way, inasmuch as that award was tantamount to a declaration on the part of the jury, that in the brutal assault which had been perpetrated upon him by Mr. J. T. Wilson, and which had been attended with such effects as we have alluded to, Mr. Bull had sustained no injury whatever, had suffered no wrong. A man of a rightly-constituted mind will always feel tenfold more keenly at any injury inflicted on others on his account than at his own wrongs. The writer of the remarks can therefore afford to sit entirely at his ease under Mr. Justice Dowling's castigations.

"In regard to these remarks themselves, we do not pretend to infallibility. We certainly had no intention to write any thing that could either be construed into a contempt of Court, or calculated to diminish the respect of the public for the administration of justice. But as our remarks had such a construction put upon them by the Court, we submitted, of course, and expressed our willingness to make every apology. In short, we bowed submission to their Honours, saying in effect, *Humanum est errare*. And how much more dignified, we ask, would it not have been for their Honours to have received that submission under all the circumstances of the case in good part, dismissing the alleged

of a salutary moral influence to the numerous and semi-barbarous nations of the Southern Hemisphere. In the course of a recent examination,—in a quarter, however, to which it would be *a breach of privilege* to allude more

offender with a reprimand as strong as they liked, and adding with the same *heathen* authority to which we are indebted for the maxim we have quoted, *ignoscere divinum*! Such a decision, we conceive, would have tended much more powerfully and unequivocally to inspire respect for the administration of justice, than a fine of £100 to the King, and to give personal security besides for £200, and to find two sureties for £100 each, for good behaviour for two years—an award which had the effect of tearing the editor of this paper from the bosom of his injured family, and consigning him to a cold damp apartment in the common jail of Sydney, in the middle of an unusually cold winter, till the said fine was paid and the sureties obtained. Such severity, we beg to inform His Honour the Chief Justice, to whose remarks in the course of the trial we cannot help ascribing the verdict of the Jury, as well as all that followed it, uniformly falls short of its object, wherever British feelings, and that innate sense of justice with which they are uniformly accompanied, are to be found. This has been remarkably evinced in the present instance; for within twenty-four hours of the time when the astounding sentence of the Court became generally known, Mr. Bull was liberated from confinement, and the fine paid by a generous public; two of whom subscribed themselves “Enemies of injustice,” three “Friends of morality,” one “The father of a family,” one “a Friend to the oppressed,” and one “A Friend indeed,” vindicating his well-merited title to the appellation by subscribing towards the payment of the fine, not less than £20.

“As we are altogether at issue, however, with their Honours in regard to the character and tendency of our remarks, and as the Supreme Court of New South Wales is necessarily the highest Court in this colony, we shall take special care to refer the whole matter, from first to last, to a higher Court still; we mean the British public. From that high-minded, generous-hearted and virtuous tribunal, we are confident that our own well-meant efforts for the cause of virtue in this colony—efforts unparralleled, we have reason to believe, in the history of British colonies—will receive a very different award from a fine of £100 to the King, and imprisonment in a common jail till it be paid.”

particularly,—the prosecutions and other legal proceedings to which ‘The Colonist’ journal had been subjected, in consequence of its advocacy of the best interests of that colony, were enumerated with a considerable display of zeal by the accredited parliamentary agent of O’Shaughnessy and his peers, evidently with a view to disparage the moral character and influence of that journal. So far, however, from wishing to conceal any thing of that kind,—connected as I was avowedly for some time with the journal in question,—I have no hesitation in voluntarily affording the reader the additional information, that in consequence of that connexion I was in one instance threatened with personal violence, from which I had to ask protection from the colonial police, while in another dark hints were actually thrown out by the *employés* and supporters of the convict and emancipist press of the colony, that the stiletto itself would be had recourse to if other means were found unavailing to silence ‘The Colonist.’ But are honest men, who are conscious that their sole object is the reformation of a whole community, to be deterred from pursuing that object of transcendent importance by such menaces as these? In such a struggle as the one in which ‘The Colonist’ has been engaged *for the general advancement of society* in His Majesty’s colony of New South Wales, every additional hour that the contest could be maintained afforded an additional assurance of ultimate success—every defeat was the prelude of victory.

CHAPTER X.*

EMIGRATION; OR, THE VALUE AND IMPORTANCE
OF THE COLONY OF NEW SOUTH WALES TO
GREAT BRITAIN AS A PRACTICABLE AND IN-
EXPENSIVE OUTLET FOR HER SURPLUS POPU-
LATION.

The wealth and strength of a country are its population, and the best part of that population are the cultivators of the soil.

PRESIDENT JACKSON'S Message to Congress, December, 1832.

“ In the year 1831 His Majesty's government were induced, on the representations of certain philanthropic persons in England, to discontinue the practice of making free grants of land to free emigrants in the Australian colonies, and to order that all Crown land in these colonies should thenceforward be sold by public auction, on being applied for by intending purchasers; (the upset or minimum price to be five shillings per acre;) and that the revenue arising from all such sales of land should be devoted exclusively towards the encouragement and promotion of emigration. Numerous and strong objections were advanced

* Part of this chapter has been copied from the work already referred to—‘Transportation and Colonization.’

at the time both in Great Britain and in New South Wales against this change of system ; and it was long and loudly asserted, that the proposed arrangement would completely put a stop to emigration, and that no revenue of any amount could ever be realized from the sale of waste land in the colonial territory. I am happy to state, however, that these objections have all proved unfounded, and that the system of selling land has already enabled the colonial government to realize a large and rapidly increasing revenue from that source ; the future and exclusive appropriation of which to the encouragement and promotion of emigration promises not only to supply the free colonists of New South Wales with free labour to any extent, but to introduce an entirely new era in the colonial history of the empire, by rendering those transmarine and expensive appendages of the country, which have hitherto been regarded as drags and dead weights upon its body politic, of which it has sometimes even been represented as inexpedient to retain possession, useful and inexpensive outlets for its superabundant population, and sources of employment and wealth to all classes of its inhabitants, to an extent never dreamt of even by the most sanguine speculators.

“ At the time when the granting system was superseded by that of selling Crown land by public auction in the Australian colonies, the colony of New South Wales was slowly recovering from the effects of a severe and protracted drought, as well as from an unprecedented depreciation of property of all kinds, induced by extensive and ruinous speculations in sheep and cattle during the years 1826 and 1827. From these unforeseen and calamitous circumstances many of the colonists were deeply involved in debt, and many estates of great extent and value were, from time to time, disposed of at Sheriffs’ sales for much less than the minimum price of Crown land established by government. In such circumstances, it was not to be expected that a large extent of such land could be disposed of for some time, even at the minimum price ; and accordingly the purchasers were at first very limited. In proportion, however, as the colonists began to recover their ground, and especially when the rapid increase of their flocks and herds rendered the extension of their estates, by the purchase of additional tracts of waste land from the government, absolutely necessary, these purchases increased with great rapidity, insomuch that the revenue arising exclusively from the sale of Crown land in the territory of New South Wales already amounts to £120,000 per annum ; the following being the amount realized by the colonial government for Crown land sold in the colony, from the first of January, 1832, to the 30th of September, 1836.

LANDS SOLD BY THE GOVERNMENT,

From the 1st of January to the 30th of June, 1836.

LANDS.

	Number of acres			Amount sold for		
January	36,960	0	0	£12,358	12	9
February	5,027	0	30	2,080	12	3
March	38,872	0	0	13,429	6	1
April	49,325	2	10	15,439	0	1
May	23,728	0	25	7,137	18	3
June	15,951	0	0	4,440	7	6
Total No. of acres	169,933	3	25	£54,885	16	11

TOWN ALLOTMENTS.

January	16	1	0	£576	18	4
February	8	0	0	121	0	0
March	17	2	0	550	13	4
May	28	0	37	1,919	11	6
June	11	0	0	25	6	8
Total No. of acres	80	3	37	£3,193	9	10

Total for the six months 170,014 3 22 £58,079 6 9

Land and town allotments }
 sold during the quarter } Extent not ascertained. £32,884 0 0
 ending 30th Sept. 1836. }

Total for nine months £90,963 6 9

Extent and proceeds of land sold in New South Wales during the years
 under mentioned.

Year	Extent in acres			Amount		
1832	20,860	1	15	£6,513	11	6
1833	29,001	2	3	12,528	0	8
1834	91,399	1	31½	28,589	10	5
1835	271,945	2	3¼	87,997	9	2
1836	Extent not ascertained			90,963	6	9
till 30th Sept.	Or at the rate of £120,000 per annum.					

This amount, however, large as it is beyond all reasonable anticipation, is likely to be greatly increased in the course of the next few years, from the rapid extension of colonization within the territory of New South Wales. The colonial boundary having been extended within the last few months to the southern extremity of the Australian continent, and a settlement having been actually formed by authority at Port Philip, in Bass' Straits, a vast extent of eligible land of the first quality has been thrown open to the numerous intending purchasers, who had already taken temporary possession of large tracts for their rapidly increasing flocks and herds, both in that district and at Twofold Bay.

“ In the former of these localities,—in which a government settlement was formed and speedily abandoned, through some extraordinary and unaccountable mismanagement, in the year 1804,—a settlement of squatters from Van Dieman's Land has been formed during the last two years; and so highly eligible has the situation been found for a permanent settlement, that it already contains a population of 200 persons, possessing or having the management of 30,000 sheep, with a proportionable number of horses and cattle. The whole of this agricultural stock and population has been imported into Port Philip from Van Dieman's Land during the last two years or thereabouts; there being now no fewer than eight or ten colonial vessels constantly employed in the transport of stock of all kinds to that settlement from Hobart Town and Launceston. The extent of available land of the first quality, which has already been discovered in the immediate vicinity of Port Philip, amounts to upwards of three millions of acres.

“ The extensive tract of table-land lying beyond the present colonial boundary to the southward, between the Great Warragong Chain, terminating in Wilson's Promontory, and now called the Snowy Mountains, or Australian Alps, and the mountainous range abutting on the east coast, is also occupied at present by numerous squatters, with large flocks and herds from New South Wales. This elevated tract of country is called Maneira, or Monaroo Plains, and consists of eligible pasture-land of the first quality, very thinly wooded and well watered;

forming a square of a hundred miles each side, and consequently containing upwards of six millions of acres, having for its outlet to the eastward the small but convenient and safe harbour of Twofold Bay, about twenty-five miles to the northward of Cape Howe. The nature of the country still farther to the southward, from Cape Howe to Wilson's Promontory, a distance of a hundred and eighty miles, is still unknown. The Snowy River skirting the plains to the westward, and sweeping along the base of the Snowy Mountains, descends into Bass' Straits on this part of the coast, forming numerous cataracts in its course; its *embouchure*, if I am not misinformed, being sufficiently wide and open to be practicable for colonial vessels.

“ The extensive tract of picturesque and pastoral country still farther to the westward, along the left bank of the Murrumbidgee, which is at present the boundary of the colony to the southward and westward, is also occupied for pastoral purposes by numerous colonial squatters from within the present limits of the colony. These squatters are all rapidly increasing their flocks and herds, and thereby enriching themselves through the permissive occupancy of the Crown land beyond the present limits,—a privilege which has hitherto been most judiciously allowed them by the colonial executive: for these persons are thus acquiring the means of making extensive purchases of land from the government in their respective localities, whenever the colonial boundary shall have been extended to Bass' Straits; and are thus forming an important link in the new chain or system of Australian colonization.”

To the north-westward of Port Philip, a tract of land of much greater extent than any of the three sections of the colonial territory I have already indicated, and of the highest promise both as to soil and climate, has very recently been discovered by Major Mitchell, the surveyor-general of the colony. On his former expedition that able officer had left 130 miles of the supposed course of the Darling river unexplored; and in the more recent expedition to which I have just referred, after tracing that river to the spot where Captain Sturt had found a large river, which he rightly supposed to be the Darling, emptying itself into the

Murray or Murrumbidgee, Major Mitchell crossed the latter river and then pursued a direct course to the Southern coast at Portland Bay, situated between Port Philip and Kangaroo island. In the course of this journey, Major Mitchell was fortunate enough to discover a region to which he has given the name of "Australia Felix," and which will doubtless be soon thrown open to advancing colonization—"a region," to use the words of his own dispatch, "of vast resources, and the most varied and fascinating description, more extensive than Great Britain, equally rich in point of soil, and which is now ready for the plough, as if especially prepared by the Creator for the industrious hands of Englishmen."

"Now, as it is equally the interest of the British government and of the colonial executive, as well as of all classes of free colonists in New South Wales, that the revenue arising from the sale of Crown land in that colony should be as large as possible, and that the number of free emigrant agricultural labourers, shepherds, and mechanics, which this revenue has been appropriated to import into the colonial territory, should also be increased to the utmost; I would beg leave to suggest that the minimum price of all Crown land in the colony should henceforth be raised to seven shillings and sixpence, and, in particular districts, to ten shillings per acre. A large proportion of the land recently purchased by resident proprietors in New South Wales, in extension of their respective estates, would have been purchased at these rates as readily as at five shillings; for much of the land hitherto sold at the government minimum price has been purchased on speculation, to be afterwards resold at a greatly advanced price. Good land, whether for agriculture or for grazing purposes, especially in such vicinities as Twofold Bay and Port Philip, is well worth ten shillings an acre, and the colonial proprietors of sheep and cattle are well able to afford that price. Nay, Mr. Commissioner Bigge, in his Report to the House of Commons on the agriculture of the colony in the year 1821, recommended that good land in New South Wales should then be sold at

not less than ten shillings per acre; and if the colonial settler could have afforded such a price at that period, much more will he be able to afford it now. Besides, it would be positively unjust for the British government to be selling waste land at Port Philip at a minimum price of five shillings per acre, when the minimum within the limits of the South Australian colony, almost in its immediate vicinity, has been fixed by Act of Parliament at twelve shillings; a minimum, which the colonization commissioners of that colony have since increased to one pound: for as the price of all descriptions of agricultural and grazing stock, as well as of the necessaries of life, will for some time be much cheaper at Port Philip than in Southern Australia, it is not to be supposed that a prudent capitalist, arriving in the latter colony, would be deterred from crossing the meridional line that separates the one colonial territory from the other, when the comparative advantages of the two localities are in all these important respects—the price of land, of stock, and of provisions,—so very dissimilar. That line will soon be crossed in every part of its extent by sheep and cattle tracks innumerable, from the territory of New South Wales; and the emancipist, the ticket of leave man, and even the convict still in bondage, will ere long find their way across it into the land of freedom, let the colonists of Southern Australia do what they may to prevent them. In justice, therefore, to the inhabitants of that infant colony, His Majesty's government will undoubtedly be eventually constrained to raise the minimum price of land in New South Wales; and the sooner they do so, the more effectually will they protect the interests of the embryo colony. For it cannot be supposed, that in the present age of steam conveyance, any great inequality in the price of land, any more than in the price of labour or in that of provisions, can possibly be maintained long between two settlements so easily accessible from each other both by sea and land, however differently they may have been originally constituted in other respects.*

* It is the general desire, however, of the free colonists of New South Wales, and it has also been a special recommendation of a committee of the Legislative Council of that colony, with a view to the encouragement and promotion of emigration to its extensive territory, that respectable free emigrants arriving from England at their own charges, with the view of settling in the colony, should each be allowed to purchase one or two sections, that is, 640 or 1280 acres of waste or Crown land, at the established minimum price, wherever they can find an eligible locality, without being liable to the mortification and disappointment of being out-

“ But there is also a large increase of the land revenue of New South Wales to be expected from the sale of town allotments. In a letter, which I did myself the honour to address to Lord Viscount Goderich in December, 1830, previous to the adoption of the present system of selling land, (and in which I took the liberty to recommend that the government should sell certain Crown lands and town allotments in that colony, and appropriate the proceeds towards the emigration of agricultural labourers and mechanics, of whom a large number were then in great difficulty from want of employment in England,) I pointed out certain town allotments belonging to government in the town of Sydney, which I conceived would at that time realize £200,000. Measures are now in progress for the sale of these allotments, of which, from the greatly increased value of property in the colonial capital, the present value has been estimated by competent persons at not less than half a million sterling. Besides, the formation of towns at Twofold Bay and Port Philip, which must necessarily become sea-ports of first-rate importance within a very short period, as well as in various other parts of the territory, will enable the colonial executive greatly to increase the land revenue, from the sale of town allotments. The minimum or upset price of town allotments belonging to government in the town of Sydney is at present £1000 per acre, the price actually realized by private individuals for eligible allotments during the last few years being uniformly much higher. In the future towns of Twofold Bay and Port Philip, £50 or £100 per acre would, I am confident, be a very moderate amount to be established as a minimum price; as even at Bathurst, a rising town beyond the Blue Mountains in the interior, £50 an acre has been obtained for town allotments. The present minimum price in Parramatta, the second town in the colony, is £20, but the allotment obtained from government for the Scots church in that town during the year 1835 has been since valued at £1000, although not more than half an acre; and in the town of Maitland at Hunter's River, where £7 an acre is the minimum price, a half-acre allotment has brought £56.

“ At all events, it may be calculated that the revenue arising from the

bidden at a public sale by some colonial land-shark, after all their trouble and annoyance in traversing the country, perhaps for months together. It is also the desire of the colonists generally, and the recommendation of a committee of the Legislative Council, that every such emigrant should also be allowed a certain drawback from the purchase-money of his land, to cover the expense of the passage out. In the propriety of both these suggestions I entirely concur.

sale of land in New South Wales will very shortly amount to £200,000 per annum; and if that revenue is exclusively appropriated to the introduction of useful emigrants of the working classes into the colony, it will enable the free colonists to import a sufficient number of virtuous and industrious labourers, artisans, and other operatives of all descriptions, not only to supply the existing and rapidly increasing demand for labour in the colony, but also to form a reputable free emigrant peasantry, to cultivate the soil, either as tenants or as small proprietors and a middle class, consisting of reputable mechanics and other operatives in the towns; thereby gradually elevating the moral character of the colony, and supplying the likeliest means of insuring the progressive amelioration of its anomalously constituted society.

“To encourage and promote the importation of free labour, in accordance with the views and intentions of His Majesty’s government as above mentioned, the colonial executive give a bounty of £30 from the colonial land revenue for every married couple, of the class of agricultural labourers, shepherds, or mechanics, imported into New South Wales, provided the persons so imported have been selected by some agent duly authorized by a colonial proprietor; five pounds additional being allowed for every child above a year old. On a large scale, this sum would probably be sufficient to cover the whole expense of the emigration of such persons; but the system has not yet been sufficiently long in operation for the colonists to have adopted any plan for carrying it into effect with combined exertion; and the expense to individuals is consequently somewhat larger than the sum allowed.

“In regard to the probability of finding a sufficient number of virtuous and industrious persons in the mother country willing to emigrate to New South Wales, there can be no doubt whatever on the subject. It is well known that distress, arising from the want of food and clothing and fuel, or rather from the want of remunerating employment for an overgrown population, prevails at this moment to a most appalling degree over an extent of country in the Highlands and Islands of Scotland, containing a population of 160,000 souls; and the only means of affording permanent relief to that population, in the opinion of all parties interested in the subject, is emigration.”

Having been apprised of the lamentable state of destitution to which so many of our fellow countrymen are thus reduced, from the details given at a public meeting held in London in the month of March last, I ad-

dressed a letter to the Deputation * which had been sent from Scotland to represent their actual condition to His Majesty's government, as well as to the public generally ; pointing out the capabilities of the colony of New South Wales as a country to which an extensive emigration could immediately be effected through the colonial land fund, without expense to the mother country. On the receipt of that letter, the deputation applied to the Right Honourable the Secretary of State for the Colonies, for the requisite advances from the colonial treasury, to enable them to send out six thousand of the distressed Highlanders and Islanders of Scotland, including men, women, and children, to New South Wales. Lord Glenelg, I am happy to state, entered into the views of the deputation with the utmost cordiality, and agreed, on the part of His Majesty's government, to send out three ships, to carry about a thousand of the distressed Highlanders, in the first instance, to the Australian colonies ; one to Van Dieman's Land, and two to New South Wales. The letter I allude to has since been published by the deputation for circulation in the Highlands of Scotland : the three ships are actually on their way to their destination ; and I am happy to be enabled to add, that this auspicious commencement of a Celtic emigration to the Australian colonies already promises to lead to the happiest results.

* Consisting of the Rev. Dr. M'Leod, late Moderator of the General Assembly of the Church of Scotland ; John Bowie, Esq. W. S., Edinburgh ; and C. Baird, Esq., Solicitor, Glasgow.

“The inhabitants of the Highlands and Islands of Scotland have peculiar claims on the British government. They have uniformly supplied a large proportion of the gallant men who have fought the battles of their country for a century past. The destitution they are suffering at present has been induced, moreover, in a great degree by a government measure in favour of the free-trade principle; the result of which was the immediate and entire destruction of their only manufacture—that of kelp. They are a frugal and industrious people,—eminently virtuous and religious; and I need scarcely state, that whether as agricultural labourers or as shepherds, they would be peculiarly welcome, and would be sure to find immediate employment and sufficient subsistence in New South Wales. In short, that colony could very easily find room for not fewer than from five to ten thousand Highlanders, including men, women, and children, every year. Then it is difficult to say whether Great Britain would be more benefited on the one hand by the gradual removal of such persons from a country that cannot possibly support one half their number, than the colony of New South Wales on the other, by their progressive settlement in its ample and fertile territory.

“Supposing therefore that a voluntary emigration of virtuous and industrious families and individuals is henceforth to take place to the territory of New South Wales, to the full extent to which the land revenue of that colony can be made available, it may not be out of place to estimate the future probable amount of that emigration, and the benefits which the land-selling system will thus be the means of securing both to the mother country and to the colony. The land revenue of New South Wales amounts at present to upwards of £100,000 per annum, but will probably be increased very shortly to double that amount. That revenue, it should be observed, however, is almost exclusively of colonial creation, upwards of nine-tenths of its whole amount being received for purchases of land and town allotments, made in extension of their former possessions, by residents of some standing in the colony, who have acquired the means of making such purchases chiefly by the rearing of sheep and the growth of wool. And it should also be borne in mind, that before the £100,000 has been paid into the colonial treasury chest, for the land so purchased, the carriage of the wool and other colonial produce, of which it has been the price, from New South Wales to London, has afforded profitable employment for six months to at least four British ships of 350 tons register, with crews of twenty men each. At the rate of £30 for each family, the amount of bounty recently fixed by the colonial executive,

exclusive of children, the present colonial land revenue will pay for the annual emigration of three thousand three hundred families of farm labourers, shepherds, and mechanics, from Great Britain and Ireland. Now at the rate of one hundred families for each ship, a number which would require a vessel of 500 tons, the conveyance of these families to their colonial destination will afford profitable employment for six months together to thirty-three first class British merchant-ships, having crews of twenty-five or thirty men each, entirely at the expense of the colony of New South Wales; the profits of the voyage, including the outfit and provisions, being exclusively appropriated by British merchants. As for the emigrants themselves, they consist of families and individuals, who, before leaving the mother country, are in all likelihood a dead weight on the community; as they can only obtain subsistence by elbowing out of employment other deserving individuals of the same class, whose circumstances will consequently be greatly improved by their emigration; or by reducing the wages of labour generally below the proper standard for the comfortable subsistence and education of a virtuous family. In all these respects, therefore, the value of such a colony as New South Wales to the mother country, whether as a cheap and practicable outlet for her surplus labouring population, or as a source of profitable employment for her commercial navy, is evident and incalculable.

“On their arrival in New South Wales, the emigrants will be employed for the most part as farm-servants, shepherds, overseers, handicraftsmen; and in any one of these situations they will be able to live in the enjoyment of many of the comforts and conveniences of life, of which a large proportion of the industrious classes of society in England are deprived through sheer poverty. Their much higher rate of wages, and their other superior opportunities of accumulating property, will also enable them, if at all industrious and frugal, eventually to become proprietors of sheep and cattle, houses and land. They will thus materially augment the capital and raw produce, as well as the population of the colony, and assist in developing its vast resources; while, besides consuming probably four times the amount of British manufactures that labourers of a similar class can afford to purchase in the mother country, they will contribute to sustain the vast fabric of British commerce, by also paying for the freight of these manufactures from England in British vessels.

“In a moral and religious light, the introduction of a numerous and virtuous free emigrant population into the colony of New South Wales cannot fail to afford a highly gratifying prospect to all who are sincerely desirous of promoting the best interests of that important dependency

of the empire. I acknowledge, indeed, that if things had continued to be carried on in the colony in the way in which they have hitherto been managed, the free emigrants themselves would have had but a sorry prospect for the future in regard to their own spiritual welfare, and the intellectual and moral improvement of their offspring: but now that every hundred free adults can obtain a salary of £100 per annum from the colonial government for the support of a clergyman of their own communion, in whatever part of the colony they may choose to settle, besides liberal assistance for the establishment of a school for their children, there is evidently much less to be feared in these important respects,—nay, there is every thing to be hoped for the future.

“ From the preceding enumeration of the benefits that are likely to accrue, both to the mother country and to the colony of New South Wales, from the future and exclusive appropriation of the land revenue of that colony towards the encouragement and promotion of emigration, it will be difficult to determine whether the mother country or the colony is likely to reap the greater advantage from that admirable arrangement. To Great Britain, whose ministers of state and parliamentary committees have, on the recurrence of every periodical return of difficulties and distress among her labouring population, arising from the want of food and the want of employment, been holding endless consultations, accumulating volumes of evidence, and ever and anon devising ways and means of carrying off the surplus portion of that miserable population to a land of duly-requited labour, and of abundance of the necessaries of life;—to Great Britain, so circumstanced, it cannot surely be a matter of indifference to find a revenue suddenly created for that very purpose, independently of her own internal taxation, in the woods and wilds of New Holland,—a revenue, moreover, annually increasing, and of which the very expenditure in this way insures the constant and rapid increase. With such a system in actual operation, who can doubt the policy of the maxim of Napoleon,—‘Ships, Colonies, and Commerce,’—as it is thus the legitimate use of a well-regulated colony to afford profitable employment to numerous ships, and a powerful stimulus to commerce and manufactures?”

There are ten thousand localities, both on the coast and in the interior of the Australian continent, in which flourishing settlements might be gradually, and indeed rapidly, formed, by carrying out the important principle

now adopted by His Majesty's Government, in regard to the alienation of Crown land in the Australian colonies, to the full extent to which it may be easily carried.

“ Little as we know of the capabilities and resources of that continent, this at least can be affirmed with safety. And with a coast line six times more extensive than that of the whole thirteen colonies that revolted from Great Britain on the declaration of American independence, and numerous harbours along that extensive line of coast, equal, if not superior, to any in North America—with a range of climate, and a fertile soil adequate to the production of all the products of American agriculture, in addition to its own peculiar and unrivalled production, fine wool,—it is impossible to estimate the stimulus that would be given to the manufacturing industry and the commercial enterprise of Great Britain, by the rapid colonization of that continent with virtuous and industrious free emigrants from Great Britain and Ireland. For within a period of time comparatively short, a population of entirely European origin, as numerous as that of the thirteen American colonies in the year 1776, might be successfully established on the continent and islands of Australasia, whose industry and enterprise would afford constant employment to thousands of British ships, and to tens of thousands of British sailors, artisans, merchants, and manufacturers.”

In regard to the manner in which emigration to New South Wales may be extensively effected, so as to ensure the furtherance of the general welfare of the colony and the economical and judicious expenditure of its land revenue, there can be no difficulty whatever. Indignant and disgusted at the manner in which the best interests of the colony had been sacrificed for years together, to subserve the private interests of an unprincipled London jobber in the matter of female emigration, the colonial government, after entering their protest against the continuance of that notable system, which was actually filling the colony with prostitutes and

threatening to demoralize the uncorrupted portion of its population, authorised three surgeons of the royal navy, who had all acquired much experience as surgeon superintendents of convict ships, to proceed to the mother country—one to England, one to Scotland, and one to Ireland—to select each an hundred families of mechanics for the erection of certain government buildings in New South Wales. These gentlemen accordingly proceeded to their respective stations; advertised their object in the nearest provincial papers, offering a free passage-out to New South Wales to intending emigrants of the descriptions required; selected from the list of applicants those whom they deemed fittest for the purpose, and, on completing their number, advertised for ships to carry them out, and for rations for the emigrants, according to a fixed scale, during the voyage. By this judicious arrangement there was no room left for jobbing, no inducement to send out disreputable characters with a view to get the ships filled, as had been repeatedly done in the case of Mr. Marshall's vessels, while every thing was done to promote the comfort of the emigrants. A similar course has been pursued, under the direction of His Majesty's government in effecting the emigration now in progress from the Highlands and Islands of Scotland; and the most beneficial results may accordingly be anticipated.

The colonial land-selling system, which has already given rise to these interesting and important operations, is not merely introducing a new era in the history of British colonization, but, by affording the means of transforming the surplus and comparatively useless

population of the mother country into the sturdy and independent yeomanry of the colonies, is enabling Great Britain to pursue a course the most profitable to herself and her colonies, and the most interesting to the genuine philanthropist.

The lover of military glory will naturally delight to contemplate the British nation as a warlike nation, and will doubtless point with a feeling of exultation to the laurels of Trafalgar and Waterloo. It may be questioned, however, whether posterity are destined to reap any real advantages from either of these great victories, or whether the vast accession of military glory they were the means of acquiring for the nation was not achieved at too great a sacrifice of national principle, as well as too great an expenditure of national blood and national treasure. Besides, there are numerous indications, in the present aspect of affairs in Great Britain and Ireland, of that retributive justice, which, as it takes cognizance of nations as well as of individuals, will assuredly afflict the nations that delight in war, and eventually stain the pride of all their military glory.

The political economist, on the other hand, will doubtless regard the commercial and manufacturing resources of the British nation as a far broader and far firmer basis for the perpetuity of its existence and the perpetuity of its fame. But the history of the world supplies us with many precedents for regarding it as a possible case, that the spirit of commercial enterprise may in some future age be diverted to other shores, and that the goodly fabric of the manufacturing wealth and

prosperity of Britain may fall at some future period as rapidly as it rose.

But when we regard Great Britain—in the light in which the colonial land-selling system will enable us to regard her—as the planter of colonies, the mother of nations, “the nurser of men,” we see her in a point of view in which there are no gloomy shadows to darken the light of her glory; we see her fame resting on a basis too firm and too permanent to be affected by the revolutions of empires; and we feel assured that her name and her memorial will continue illustrious while the race of man inhabits the earth.

Suppose for a moment, that in some future age Great Britain herself should become the scene of *perpetual desolations*, and that some Christian philanthropist from some distant land should be induced to visit her deserted shores; he would doubtless regard the ruined monuments of her military glory and her commercial greatness—were there nothing else to arrest his attention—with the tear of pity or the smile of contempt; and he would doubtless exclaim, “What! art thou too, thou Queen of nations! thou haven of ships! art thou also become as Babylon and Tyrus? How are the mighty fallen, and their glory departed!” But should he be enabled to look beyond the wide Atlantic to the vast continent of America, and there to behold a hundred millions of the descendants of Britons still speaking the language, and governed by the laws, and cherishing the religion of the long-deserted isle—should he be enabled to witness a scene equally cheering to philan-

thropy at the southern extremity of Africa—nay, should he be enabled to behold at the uttermost ends of the earth a third great nation sprung from the same prolific source on the continent of New Holland, and sending forth scions every successive year to the ten thousand isles of the boundless Pacific; methinks he would regard every object around him with a feeling approaching to religious veneration; and the stones and the dust of Britain would be as pleasant and as dear to the traveller as those of Zion to the Jew.

Let no cold-blooded political economist, therefore, presume to reason down the propriety of emigration, so as to deter virtuous and industrious families and individuals from adopting that expedient, or to prevent the British Government from affording them such encouragement and assistance as the colonial land revenue is intended to afford. Let no affected patriotism throw any obstacles in the way of a measure that would enable thousands of such families and individuals to live in comfort and independence abroad, instead of struggling with increasing poverty and privations at home. I should sooner doubt the fact of my own existence, than doubt that the happiness and prosperity of the British nation are indissolubly connected with the pursuance of a course, which Divine Providence has made so clearly imperative, and on which the true glory of the nation so evidently depends.

APPENDIX.

No. 1. Page 214.

Instead of inserting the dispatch referred to in the text, it may be sufficient for the general reader, especially as this volume has already exceeded a reasonable size, to state the following results of Major Mitchell's expedition, from 'The Colonist' of October 22, 1835.

The results of Major Mitchell's recent expedition are interesting in the highest degree to the colony. They may be enumerated as follows:—

1. The fate of the Macquarie river has now been definitively ascertained; the surplus waters of that river finding their way by Duck Creek, rather than, as Captain Sturt supposed, by Morrisett's Ponds and the Castlereagh River, into the channel of the Darling.

2. A practicable route, not only for sheep and cattle, but even for wheel-carriages, has been chalked out and traversed from the Bathurst country to the Darling River, and for 300 miles along the banks of that river, from the point where it receives the waters of the Boga, towards its *embouchure*. There is reason to hope, if not to presume, that the country along the Darling River, for the unexplored portion of its course to its supposed junction with the Murray or the Murrumbidgee, will be equally practicable, or, at least, that the river will in that portion of its course be found available for navigation.

3. During the prevalence of a drought of almost unexampled severity, although but of short duration, in which, moreover, almost every blade of grass disappeared, and sheep and cattle were dying in all directions in the colony, Major Mitchell found both grass and water in sufficiency for his cattle, along the whole course of the Boga river, as well as in the valley of the Darling. Indeed the country along the whole of Major Mitchell's route appears to be available for the sus-

tenance both of man and beast ; and we are happy to have ascertained also, that it abounds with timber suitable for all purposes.

4. The fourth and last result we shall mention of Major Mitchell's recent expedition is the light it has thrown on the botany of the interior. Only two varieties of grass—and these the two usually met with in the colony—were observed along the whole course of the Boga river ; but along the banks of the Darling no fewer than thirty varieties were observed—most of them altogether unknown in the colony. A species of vegetable, which, it is expected, will in future form an important addition to the kitchen garden of Australia, was also found by the expedition in the distant interior. For our own part, we should be sorry to say a single syllable in depreciation of Major Mitchell's cabbage, or whatever else people may choose to call it : but when we consider what sorry fare scientific enthusiasts are sometimes glad to put up with in the bush, we feel strongly disposed to make it a matter of question, whether the heroes of a half-famished expedition of discovery in the interior are the fittest persons in the world to decide as to what is likely to please the palate, or to *ascend me up into the brains* of a Sydney epicure. Till we have an opportunity of trying it ourselves, however, all we shall say of the Boga turnip is *De gustibus non disputandum* ;—These is no disputing about tastes.

There is one particular, however, in which the delicacy of Major Mitchell's taste is unquestionable, and for which he richly deserves the thanks of the whole Australian Republic of Letters. We allude to his uniform substitution of the native names wherever they can be ascertained, for the Gothic barbarism of giving English names to localities of every description in this territory. Captain Sturt's New Year's Creek, for instance, becomes the Boga River in the hands of the Surveyor General. What a change for the better !

Extracts of the Dispatch of Major Mitchell, dated, Camp on the River Murrumbidgee, October 24, 1836, giving an account of his recent discovery of Australia Felix.

The first part of the dispatch contains merely an account of the identification of the Upper and Lower Darling, the country being very unpromising. The following is the latter and more interesting part of it :—

“ From the depôt camp to the junction of the Murrumbidgee and Murray, the distance was eight miles, over firm ground ; and for two

miles below the junction (by the river) I moved the whole party across the Murray, with a view to proceed up that river, according to the second part of my instructions.

“ We had proceeded far up this river before the country on its banks appeared much better than any we had seen lower down. Grassy plains extended some way from the river, but were limited by sand-hills covered with cypress-trees and scrubs. We crossed various broad lagoons, apparently the beds of and-branches of the river in seasons of high flood. After several days' travelling (nearly southward) reeds appeared in extensive flats along the river; and in longitude $143^{\circ} 40'$ E., the course of the river being from the S.E., the reeds extended eastward to the horizon. The mean distance of the bergs of sand hills covered with pine, which limited the reedy flat, was there about eight miles across. We soon passed the region of reeds, which, gradually disappearing as we ascended, were replaced by grassy plains.

“ In this vicinity, we came upon a very singular formation, consisting of numerous lakes of salt or brackish water, and which were enclosed by semi-circular ridges on their eastern shores. The largest of these lakes was named Boga, and was six miles in circumference. The river floods having reached this by a small channel, the water in it was sweet, and it was peopled by a very savage tribe, who refused to give us any information, throwing their spears at Piper, who shot one of them.

“ Beyond Boga Lake we crossed some very fine plains; but the main channel of the river we were endeavouring to explore, was no longer accessible, nor even visible, from the numerous branches and still reaches which intersected the alluvial margin, which appeared to be very broad.

“ The extreme western point of a range then appearing in the southern horizon, I proceeded towards it, anxious to know more of the country back from the river. The view I obtained from that summit induced me to direct our course southward, with the intention of returning across the heads of the Murray further to the eastward, where I hoped the hills might afford me the means of extending the survey across the adjacent country: I perceived from the height a distant line of lofty trees, which seemed to mark the course of another river; beyond were the summits of very distant hills, verdant plains variegated with clumps and lines of trees extending westward to the horizon; the whole seeming good pasture land.

“ At about thirty miles from the hill, and on the 144th degree of longitude, we reached a deep but narrow stream, flowing between high

and grassy banks to the westward, at the rate of one mile and a half per hour. Its mean depth was nine feet; in one night, however, it suddenly rose fourteen feet higher, carrying away a rough bridge we had just completed. The aboriginal name of this river is the 'Yarrayne;' the plains beyond it were five miles in breadth, and of the best description. Forests of black-buttèd gum, and casuarinæ, then extended back to the mountains and forest hills: in these forests, instead of novelty, we found the Blue Mountain parrot, and other birds common near Sydney; many of the plants also which grow in Cumberland.

“ ‘Barrabungale,’ a lofty mountain of granite, was the chief point of that range, but, on ascending it, the weather was unfavourable for my observations: a group of open forest hills were connected with Barrabungale, they enclosed vallies richly covered with grass, and all well watered. We passed over many fine tracts, sheltered by open forest hills, and crossed various fine streams, all flowing westward. At length, on the 11th July, I discovered the summits of a noble mountain range of broken and picturesque outline; and by subsequent survey I found that this was the predominant feature of that vast territory, lying between the River Murray and the southern coast, giving birth to numerous streams of convenient width and constant current, by which the surrounding country is watered abundantly. These Grampians of the south are situated between $36^{\circ} 52'$ and $37^{\circ} 38'$ of south latitude, and between $141^{\circ} 55'$ and $142^{\circ} 47'$ of east longitude; the latter being the longitude of Mount William, the highest and most eastern summit, and on which I passed a night, vainly hoping that the clouds would rise above it.

“ Situated thus centrically, this lofty mass, so essential to water the lower country, presents no impediment, like the coast ranges of the settled district, to the formation of roads, and the progress of colonization.

“ The principal river flowing under the north side of these mountains is the ‘Wimmera,’ which has no steep banks, and appears to be a very constant stream. I explored its course to 142° of longitude, when it turned to the north-west, leaving me in a country covered with circular lakes, in all of which the water was salt or brackish. These had semi-circular ridges on the eastern side, as in those of Boga, on the Murray, and the land about them was in general very good and grassy, its mean elevation above the sea being about 580 feet.

“ From the continued rainy weather the earth was in a very soft state, and this at length became a most serious impediment to the progress of the expedition, the party being unable, even with the greatest exertion,

to proceed through the mud above three miles a day. But for this, I might have returned at least two months ago.

“ When we gained the head of a small ravine falling towards the principal river rising in the Grampians, we found firmer ground, and our progress was much better, although still occasionally impeded by the soft and boggy state of the earth.

“ The river, which I named the ‘ Glenelg,’ flows first westward, and then southward, entering the sea at the deepest part of the bay, between Cape Northumberland and Cape Bridgewater. I explored the last fifty miles of its course in the boats, having left Mr. Stapylton with a depôt, for I had great reason to hope that it led to some important estuary; the average width was one hundred yards, the mean depth four fathoms. In this I was, however, disappointed, for the river terminated in a shallow basin within the sand-hummocks of the coast, the outlet being between two low rocky heads, but choked up with the sands of the beach.

“ My route homeward, from the vicinity of the Australian Pyrenees, passed through a country of the most varied and fascinating description. At intervals of fifty or sixty miles, we crossed ranges of granite, through all of which I found passes for the carts across the very lowest parts, reconnoitring the ranges as far as possible in advance. The districts between the different ranges consisted of excellent land, thickly covered with *Danthonia* grass, and well watered.

“ I trust that the results of this expedition will prove satisfactory to His Majesty’s Government, considering the various difficulties surmounted, and the elements with which I have had to contend. Besides establishing the fact of the identity of the Upper and Lower Darling, it has been in my power, under the protection of Providence, to explore the vast natural resources of a region more extensive than Great Britain, equally rich in point of soil, and which now lies ready for the plough in many parts, as if specially prepared by the Creator for the industrious hands of Englishmen.”

No. 2. Page 272.

Dispatches on the subject of the Clergy and School Establishments of New South Wales.

TO THE RIGHT HON. E. G. STANLEY.

Sydney, September 30, 1833.

Sir,

Having lately received the order of the King in Council for dissolving the Church and School Corporation in New South Wales, unaccompanied

by any intimation of the views of His Majesty's Government as to the future maintenance and regulation of Churches and Schools within the colony, I deem it my duty to submit for your consideration such observations upon these important subjects, as my knowledge of the state of the country enables me to offer, and to suggest such arrangements as will, in my opinion, meet with the favour and support of the great majority of the colonists, and thereby promote, with the best assurance of success, the religious instruction and general education of this people.

To enable you, sir, to ascertain more clearly the propriety of the measures I shall have the honour to propose, I would observe, that the inhabitants of this colony are of many different religious persuasions, the followers of the Church of England being the most numerous; but there are also large bodies of Roman Catholics and Presbyterians of the Church of Scotland, besides Protestant Dissenters of many different denominations, having separate places of worship. Of the convicts who have arrived here for the last seven years, about one-third are Irish and Catholic; and if the families of these persons, arriving from Ireland in considerable numbers, are taken into account, it may be stated with some probability of accuracy, that about one-fifth of the whole population of the colony is Catholic. The members of the Church of Scotland form a smaller portion; but are amongst the most respectable of the inhabitants, and are to be found, with fewer exceptions, in the class of free emigrants. For administering the offices of religion to these three principal denominations of Christians, there are, of the Church of England, an archdeacon, fifteen chaplains, and four catechists; of the Church of Scotland, four paid ministers; and of the Romish Church, there are a vicar-general and two priests, at present receiving stipends from Government; but further sums have been voted by the Council for the support of four additional Roman Catholic chaplains, in the next year. The clergy of the Church of England are supported chiefly by payments from the Treasury, and to a small amount by the rent and sale of lands formerly granted to the Church and School Corporation. The charge for the Church of England next year, including that for minor church officers and contingencies of all sorts, is estimated at £11,542. 10*d*. The whole charge on the public treasury for the Church of Scotland for the same period is £600, and for Roman Catholic chaplains and chapels £1500. The Protestant dissenters receive no support from Government beyond some small grants of land made to some of them, as sites upon which to erect their places of worship.

With respect to places of worship, it may be convenient to observe here, that the Church of England possesses at this time, in Sydney and

within forty miles of it, seven stone or brick churches of moderate size but respectable appearance, besides two others of the same description in more remote parts of the colony, and several less permanent buildings in various places. The expense of erecting these houses of worship, I cannot immediately ascertain ; but it has been considerable, and has, as I believe, been wholly defrayed by public funds. The Church of Scotland possesses one church of respectable exterior in Sydney, and two or three temporary buildings in the country districts. The Scots Church in Sydney was built by subscription, aided by a loan from this Government amounting to £520, for which a mortgage has been taken on the premises ; but no part of the money has yet been repaid. The Church of Scotland has received no other aid for buildings that I can discover. The Roman Catholics possess one large and handsome church in Sydney, not yet completed : in aid of its construction, donations, amounting in all to about £1200, have been at different times granted by this Government.

The sum of £400 (included in that of £1500 before mentioned) has been appropriated by the Council to be paid in the next year, in aid of a similar sum to be raised by private subscriptions for erecting Roman Catholic chapels at Maitland and Campbelltown. A chapel was begun at the latter place as well as at Parramatta some years ago ; but neither has been completed from want of funds.

The chaplains from the Church of England are provided with glebes of 40 acres each, or with a money allowance in lieu, and with houses or lodging money. No advantage of this kind, obtained at the public expense, is possessed by the clergy of the Established Church of Scotland, or by the Roman Catholics, if I except a grant of 40 acres for the use of the Scots Church at Bathurst.

A distribution of support from the Government, of so unequal an amount as that which I have just described, cannot be supposed to be generally acceptable to the colonists, who provide the funds from which this distribution is made. Accordingly, the magnitude of the sums annually granted for the support of the Church of England in New South Wales is very generally complained of ; and a petition to the Governor and Legislative Council has been lately prepared at a public meeting, and very numerously signed, praying for a reduction of this expenditure. If the complaint be well founded, as I confess I consider it to be, the recent dissolution of the Church Corporation affords an opportunity for placing upon an equitable footing the support which the principal Christian churches in the colony may, for the present, claim from the public purse. I would, therefore, earnestly recommend to His Majesty's Go-

vernment to take the case into their early consideration, and to adopt such arrangements as may be expected to give general satisfaction to the colonists. I would observe that, in a new country, to which persons of all religious persuasions are invited to resort, it will be impossible to establish a dominant and endowed church without much hostility, and great improbability of its becoming permanent. The inclination of these colonists, which keeps pace with the spirit of the age, is decidedly adverse to such an institution; and I fear the interests of religion would be prejudiced by its establishment. If, on the contrary, support were given, as required, to every one of the three grand divisions of Christians indifferently, and the management of the temporalities of their churches left to themselves, I conceive that the public treasury might in time be relieved of a considerable charge; and, what is of much greater importance, the people would become more attached to their respective churches, and be more willing to listen to and obey the voice of their several pastors.

It may be expected that in addressing you, sir, on this occasion, I should submit some specific arrangements for your consideration. I cannot, without much diffidence, proceed to discharge this duty; but, as I have reason to believe that the outline which follows is in unison with the sentiments of many of the most intelligent of the colonists, I have the less hesitation in laying it before you.

I would propose, that wherever a moderate congregation can be collected throughout the colony, and that a subscription shall have been entered into for building a place of worship and minister's dwelling, amounting to a sum not less than £300, upon application an equal sum shall be issued from the Colonial Treasury in aid of the undertaking; and that the buildings, when completed, and the grounds upon which they stand, whether provided by the subscriber or granted by the Crown, shall be vested in trustees elected by the congregation. These trustees shall have power to dispose of the seats or pews (excepting one-fourth, which shall be reserved as free sittings); and out of the rents, or by means of voluntary subscriptions, the trustees shall provide for the maintenance of church officers, the repairs of the church, minister's dwelling, church-yard, burial-ground and appurtenances, and the contingent expenses connected with the celebration of Divine worship. The buildings thus erected will be, at no other period, a charge upon the public revenue. A chaplain of the creed of the congregation shall then be appointed by the Crown in the manner now practised, and his stipend shall be issued by the Governor at the following rate:—If in the district where the church or chapel to which he shall be appointed is

situated, there be a resident population of one hundred adults, who shall subscribe a declaration setting forth their desire to attend such place of worship, the chaplain shall receive from the Treasury one hundred pounds a year; if there be two hundred adults, one hundred and fifty pounds; and if five hundred adults, then two hundred pounds; which is proposed as the maximum salary to be paid by the Government, to a chaplain of whatever persuasion.

In this way it is imagined that the erection of places of public worship may be obtained wherever a competent congregation can be collected, whilst there will be secured to the officiating clergyman such a moderate stipend as is sufficient for his support, but will not render him independent of his own exertions or the respect of the congregation. These chaplains should be empowered to perform the ceremonies of marriage, baptism, and burial, in their several churches, for moderate fees, and should be secured in the receipt of their stipends, unless removed from their chaplancies for misconduct. The whole of this arrangement, with such further details as shall seem necessary, will require the authority of an Act of the Governor and Council to put it into operation.

The foregoing system may be applied to the existing churches of the establishment, by vesting them and the ministers' houses and glebes in trustees for the purposes before-mentioned; but the present incumbents should remain with the salaries and advantages they now enjoy, so far as these emoluments have been secured to them by previous engagement with the Government.

For the better discipline of the chaplains of the Church of England, for obtaining the necessary celebration of the rites of ordination and confirmation, and for maintaining the connexion of this church with the metropolitan, I would suggest that the Archdeacon of New South Wales be made a suffragan to the Archbishop of Canterbury, or Bishop of London. The stipend of the present archdeacon is more than sufficient for the proper discharge of this office, and that of his successor might be reduced considerably. The inconvenience attending the dependence of this church on the authority of a bishop placed at the distance of Calcutta from Sydney, is too obvious to require much proof. * *

The establishment in the colony of a Presbytery of the Church of Scotland, which I had the honour to recommend in my dispatch of the 8th July last, No. 56, will secure the proper discipline of that church; and the recent appointment of a vicar-general, with whose discretion, character, and morals, I have the greatest reason to be satisfied, will, I hope, effect what is required in the Roman Catholic Church. I am

inclined, however, to think that the salary of £200 a year is too low for the office, and that it might be advantageously raised to £400, to enable the vicar-general to visit frequently the chapels in the interior.

In the foregoing outline I have limited the support of the Government to the three principal Christian congregations in the colony. This limitation may be considered an objection to the plan, as it may be urged, that in granting assistance systematically to more than one church, a claim is given for assistance upon the same principle to every congregation of Dissenters and of Jews. This, however, is an objection to the theory, and is not likely to interfere with the practical benefits of the plan. If it should be thought proper at any future period to extend assistance to other congregations whose members may seem to require it, there will be nothing in the present arrangement to prevent it; or if it shall be deemed more advisable, the proposed system may be established by the local law as it affects the Church of England only, leaving it to the discretion of the Governor and Council to extend a similar provision to such other congregations as shall require it. At this early period of the colony's existence, it is, I think, necessary that the Government should grant pecuniary assistance for the establishment of religious institutions, and take upon itself the nomination of the ministers; or it might happen that the ordinances of Christianity would become altogether neglected, or its tenets perverted by incompetent teachers.

I cannot conclude this subject without expressing a hope, amounting to some degree of confidence, that in laying the foundations of the Christian religion in this young and rising colony, by equal encouragement held out to its professors in their several churches, the people of these persuasions will be united together in one bond of peace, and taught to look up to the Government as their common protector and friend, and that thus there will be secured to the State good subjects, and to society good men.

I shall now beg leave to lay before you a brief account of the schools which have been lately under the superintendence of the Church and School Corporation. The principal of these are the Male and Female Orphan Schools, at the former of which 133 boys are now maintained and educated, at an expense estimated for the year 1834 at £1300; and, at the latter, 174 girls, at an estimated expense of £1500, exclusive of supplies from the land set apart for the use of these schools. The buildings of the Female School are handsome and commodious, and those for the boys are sufficient for the purpose. In both of these schools the children are brought up exclusively in the doctrines of the Church of England. As they are received at a very early age, and those

who are not orphans in the strict meaning of the term, are, for the most part, deserted or neglected by their parents, it is proper that they should be so brought up. There is in Parramatta also a considerable Boarding School, called the King's School, at the head of which is a clergyman of the Church of England, with a salary of £100 a year only, but who has been promised the occupation of a house, to be built at the public expense, to contain from 60 to 80 boarders and day scholars. The house not being built, two are rented in the village by Government, at £80 per annum, in which the master receives at present 54 boarders and 15 day scholars; the former at the rate of £28, and the latter at from £6 to £10 a-year. This arrangement, which originated, I believe, with the late archdeacon, is an expensive one, and the wealthier part of the community will be the greatest gainers by it. The three schools thus described, now are, and will in all probability continue to be, exclusively for the Church of England: they may be supported, and the Orphan Schools extended by means of the income which will, at no great distance of time, be derived from the lands granted under Seal to the Church and School Corporation; and which, on its dissolution, became, by the terms of the charter, vested in the Crown, to be disposed of by His Majesty, his heirs, and successors, "in such manner as shall appear most conducive to the maintenance and promotion of religion, and the education of youth in the said colony." Under these terms the income of the lands may be applied to the support of any of the churches or schools referred to in this dispatch.

The Primary Schools established by the Corporation, which are 35 in number, situated in various parts of the colony, attended, upon an average, by 1248 children of both sexes, are charged in the estimates for 1834, at £2756. These are superintended by the chaplains, and in all of them the Catechism of the Church of England is taught; and although children of other persuasions may and do sometimes attend these schools, they are necessarily considered as belonging to the Church of England. Thus the charge for all the schools of this description for the year 1834 is taken at £5737, to which should be added a vote of the Legislative Council, of £2300, for the site and buildings for the King's School at Parramatta. Nothing has been granted to any Primary School connected with the Church of Scotland, but a loan of £3500 has lately been made by the Government, and secured by mortgage, for aiding the erection of the Scots College. The sum of £800 has been voted for Roman Catholic Schools for the year 1834.

You may thus perceive, sir, the great disproportion which exists in the support given by the state to schools formed for the use of different

denominations of Christians in the colony; a disproportion not based on the relative numbers of each, but guided, it would seem, by the same principles which have regulated the support afforded to the different churches. It is a subject of very general complaint. I am inclined to think, that schools for the general education of the colonial youth, supported by the government, and regulated after the manner of the Irish schools, which, since the year 1831, receive aid from the public funds, would be suited to the circumstances of this country. I have not the parliamentary papers to refer to, and cannot give those schools their proper designation, but I allude to those in which Christians of all creeds are received, where approved extracts from Scripture are read, but no religious instruction is given by the master or mistress, such being imparted on one day in the week by the ministers of the different religions attending at the school, to instruct their respective flocks. I am certain that the colonists would be well pleased to find their funds liberally pledged to support schools of this description. It would be necessary, however, that government took the lead in their institution, fixing the places from time to time where they should be established as population increased, erecting the school-houses, and appointing well-qualified masters and mistresses, to be brought from England, if required. The salaries of such persons should be liberal, not less than from £100 to £150 per annum. Whatever weekly payments were obtained from the parents of the children who attend these schools should be applied to the repair of the school-houses, and to purchase school-requisites, under the care of local committees. In like manner, infant schools should be established in the towns and other populous places. I may, without fear of contradiction, assert, that in no part of the world is the general education of the people a more sacred and necessary duty of the Government, than in New South Wales. The reasons are too obvious to require that I should state them. The proposed arrangement will, like that for the churches, require a local law.

With respect to the thirty-five Primary or Parish Schools as they are called, established by the Church and School Corporation, I would observe, that they are of no great importance or value; and I propose, that in proportion as schools for general education are established in the manner I have described, the support of Government should be withdrawn from the Primary Schools, leaving the buildings and furniture to any of the congregations of the Church of England that might choose to maintain the schools at their own expense.

RICHARD BOURKE.

TO HIS EXCELLENCY SIR R. BOURKE, K.C.B.

Downing Street, November 30, 1835.

Sir,

The successive changes which have taken place in His Majesty's Government since the receipt of your dispatch of the 30th September, 1835, No. 76, and the importance of the subject to which it refers, have occasioned a delay in answering it, which I much regret, but which has been in a great measure unavoidable.

Your dispatch had, however, received the serious attention of my predecessors; and since my accession to the office which I have the honour to hold, I have bestowed much consideration on its contents. I have had the advantage of frequent communications with Mr. Archdeacon Broughton, on the Ecclesiastical and Scholastic Establishments in New South Wales, and I have referred to the various communications on the same topic, which have taken place from time to time between the local authorities and my predecessors in this department.

His Majesty's Government are deeply sensible of the importance of the subject thus brought under their consideration. They fully concur with you in the opinion that in no part of the world is the general education of the people a more sacred and necessary duty of the Government, than in New South Wales. With a view not only to higher interests, but also to the good order and social improvement of the colony, too great a value can scarcely be set upon the promotion, by all means, of those habits and principles which tend so eminently to elevate the human character, and to oppose the firmest obstacle to crime and immorality. The only question is, that of the most effectual mode of attaining this end, regard being had to the condition of the colony and the sentiments of the inhabitants, for whose benefit and at whose expense the instruction is to be provided.

With reference to this question, I have much pleasure in offering to you, on their part and my own, the acknowledgement of His Majesty's Government for the full and clear statement which you have transmitted to them of the existing means of religious instruction and education in connexion with the wants and circumstances of the colony, and also for the suggestions with which you have followed up that statement. To these suggestions His Majesty's Government, bearing in mind your local experience, and influenced by the general confidence which they place in your judgment, are disposed to attach great importance.

A general principle to which I am anxious to adhere on this, as on

other matters affecting the internal interests of the colony, is, that the details of the measures to be adopted should be left to the decision of that body, to which, by the existing constitution, legislative powers are entrusted, and which must be supposed to be best informed as to the wants of the population, and the most efficient and satisfactory means of supplying them. I am disposed, therefore, to commit to the Governor and the Legislative Council, the task of suggesting and enacting such laws and regulations for the distribution and appropriation of the funds applicable to the general purposes of religion and education, as they consider best adapted to the exigences of the colony. I feel it, however, a duty to offer some observations on the plan which you have submitted for the consideration of His Majesty's Government.

In the general principle upon which that plan is founded, as applicable to New South Wales, His Majesty's Government entirely concur. Attached as I am, in common with the other members of the Government, to the Church of England, and believing it, when duly administered, to be a powerful instrument in the diffusion of sound religious instruction, I am desirous that every encouragement should be given to its extension in New South Wales, consistently with the just claims of that large portion of the community which is composed of Christians of other denominations. In dealing with this subject in a case so new as the Australian colonies, few analogies can be drawn from the institutions of the parent state to our assistance. In those communities, formed and rapidly multiplying under most peculiar circumstances, and comprising great numbers of Presbyterians and Roman Catholics, as well as members of the Church of England, it is evident that the attempt to select any one church as the exclusive object of public endowment, even if it were advisable in every other respect, would not long be tolerated. To none of the numerous Christians of those persuasions should opportunities be refused for worship and education on principles which they approve.

The plan which you have suggested appears to me fully in accordance with these views in both its branches :—in that which relates to the places and ministers of worship, or, as it may be more briefly described, to public religion ; and in that which concerns public education.

With respect to the first branch, the equity of the proposed rule cannot be contested. The amount of private contribution is to be the condition and the measure of public aid. The Church of England, from its great numerical strength in the colony as compared with that of either of the above denominations, and from its superior command of resources,

will probably obtain a share proportionately large of the general fund : but ample encouragement and assistance will be afforded to the efforts of the other communities towards a similar object.

The proposal that the trustees, in whom the care of the buildings when completed is intended to be vested, should be elected by the congregation, appears to me not sufficiently definite ; and I would suggest that their nomination should be vested, in the first instance, in the subscribers, with a provision for supplying vacancies as they occur. The number of the trustees should also be limited by law. There can be no question but that it will be right to continue to the present incumbents, those salaries and advantages which they now enjoy, under any existing arrangement with the Government.

Some deviation, however, from this general plan may be necessary, in order to provide Religious Instruction for districts comprising any large body of convicts, where there is no reason to anticipate that voluntary subscriptions can be obtained for the erection of a place of worship, or for the ministration of Religion.

In your dispatch of the 28th February, 1832, No. 30, you stated your entire concurrence in opinion with the archdeacon, as to the absolute necessity of stationing a minister of religion at Norfolk Island ; and Lord Ripon, in a dispatch of the 25th December, 1832, No. 148, suggested a mode by which he hoped an immediate provision might be made for stationing one of the chaplains then in the colony at each of the penal settlements of Norfolk Island and Moreton Bay, so long as a large convict population should be collected there. I regret to find that this arrangement could not be carried into effect. In the same dispatch, Lord Ripon recommended to your serious consideration the practicability of breaking up the establishment at Moreton Bay, which you had yourself previously contemplated. As I hope that measures may have been taken for carrying this recommendation into effect, I may now, I presume, take for granted that the services of a minister of religion will be required only for one penal settlement. Fully agreeing with you as to the necessity of such an appointment, I have used every endeavour to find a clergyman of the church of England qualified for the office, by character, and that missionary spirit which you justly think of such importance, and at the same time willing to undertake it ; but I regret to inform you that I have not been successful. The archdeacon, of whose anxiety on this subject you are well aware, has been equally unfortunate, and I have therefore felt it my duty to institute an enquiry in other quarters ; and I hope shortly to be able to announce to you

that I have obtained the services of a clergyman of some other denomination.

The reasons which you have alleged in favour of the erection of the archdeaconry of New South Wales into a bishopric, seem to me conclusive. My predecessors had determined to carry this proposal into effect; and His Majesty's present Government have decided, with the sanction of the Archbishop of Canterbury, to adhere to that determination. The zeal and energy with which Mr. Broughton has discharged the duties of Archdeacon of New South Wales, and the strong interest which he takes in the spiritual welfare of the colony, pointed him out as the fittest person to be invested with the episcopal office; and I have much pleasure in informing you that His Majesty has been graciously pleased to nominate him to the new See. He will receive the same salary which he has hitherto received as archdeacon; and any reduction which the Governor and Council may deem practicable and expedient, will, of course, take effect only on the appointment of a successor.

I now proceed to offer some observations on the second part of your plan—that which has reference to Public Education.

The orphan schools, though the expense of their maintenance is considerable, make provision for a class of children who have no natural protectors; and, although I should doubt the expediency of extending them, I think that sufficient grounds exist for their continuance, at least for a time; nor do I see any reason for altering the general management or the plan of education, provided that you are satisfied that no undue expenditure is sanctioned, and that they are maintained in a state of efficiency. With this view, I think it highly expedient that such committees, as recommended by yourself and the Archdeacon, should be appointed for the purpose of internal regulation, and the superintendence of all matters connected with the conduct and administration of the schools, the visitor exercising the ordinary powers attached to that office.

The King's School at Parramatta, however, appears to me very differently circumstanced: the pupils of this Institution belong chiefly, if not exclusively, to that class of society which has no just claim to gratuitous aid, at the public expense, towards the education of youth; and I think, that if the school is to be maintained, it should be at the charge of the parents or connexions of the scholars. An immediate withdrawal of the whole support, which it has received from the public funds, would probably be attended with great inconvenience, but I

think it right to convey to you my opinion, that eventually it ought not in any degree to be a charge upon the public.

In respect to education generally, it follows, from the principles already laid down, that some plan should be adopted for the establishment of schools for the general education of the youth in the colony, unconnected with any particular church or denomination of Christians, in which children of every religious persuasion may receive instruction. This object it is proposed to effect, not by the exclusion of religious instruction from the school, but by limiting the daily and ordinary instruction of this nature, to those leading doctrines of Christianity, and those practical duties on which I hope all Christians may cordially agree. The peculiar tenets of any church ought to find no place, as such, in these general schools; but opportunities should be afforded, at stated periods, for the imparting of instruction of this nature to the children of different persuasions by their respective pastors. Such is the plan of National Education which has recently been adopted in Ireland, and, as I have reason to believe, with considerable success, notwithstanding some peculiar obstacles arising from circumstances not likely, as I trust, to exist in the Australian colonies. This plan will require the formation of a Board of Education, composed of members of different religious denominations. The board will have to agree on such extracts from the authorised version of the Scriptures, to be used in the schools, as they shall deem best adapted for the instruction of youth. It will also be their duty, by a vigilant superintendence, to secure a strict adherence to the regulations under which the schools will have been constituted. Persuaded, as I am, that education, founded on the Scriptures, is the best calculated to produce those permanent effects which must be the object of every system of education, I should wish it may be thought practicable to place the whole of the New Testament, at least, in the hands of the children; but, at all events, I hold it to be most important that the extracts in question should be of a copious description. It is my intention to send to you, for your information and assistance, various documents relating to the system of National Education in Ireland, and also a Report of the British and Foreign School Society, which is conducted on very liberal and comprehensive principles. I feel assured that I may safely leave to you and the Legislative Council the task of framing, on these principles, such a system as may be most acceptable to the great body of the inhabitants, and at the same time most conducive to the important end in view.

I have hitherto had in view those schools which are to be supported wholly at the public expense, and I am of opinion that schools so sup-

ported, ought to be invariably of the general nature just adverted to. But the system of public education would, I think, be incomplete, if it did not leave an opening for the admission, on certain terms, of private contributions in aid of the public. There may be persons, and even classes of persons, who may entertain such objections to the general plan, as must practically exclude them from a participation in its benefits, and who yet may be unable to supply a proper education for their children from their own funds exclusively. It would be hard that any large class of His Majesty's subjects should be debarred from the advantage of education on principles which they conscientiously approve. I submit to you and your Council, as a just object for your consideration, whether, in such cases, some pecuniary assistance might not be afforded from the public funds, in aid of contributions from parties dissatisfied with the more comprehensive system. The terms and conditions on which such assistance may be tendered, I leave to the deliberate judgment of yourself and your Council, persuaded that you will arrange a system, which, excluding no large class of conscientious religionists from its benefits, shall be, in a true sense, national. I fully approve of your suggestion, that the buildings and furniture of the primary schools should be left in the hands of any of the congregations of the Church of England, who may undertake to maintain the schools at their own expense. An immediate withdrawal from these schools, of the whole of the support which they have hitherto received from the government, would probably, as in the case of the King's School at Parramatta, involve them in considerable difficulty; but I feel assured that the mode in which the new system will be introduced, as well as the details of the system itself, will receive that mature consideration which will secure its adoption, with the least possible inconvenience to any existing institution.

I have not previously adverted to the establishment of Sunday Schools, because they are chiefly found in connexion with some particular church or congregation; and the services of the teachers being for the most part gratuitous, they do not require the aid of public funds: I am, however, unwilling to close my dispatch on this subject, without expressing my sense of the great value of such schools, and of the claim they have to encouragement, not indeed as a substitute for others, but as affording the opportunities of fuller religious instruction than can usually be given in any daily schools for general education.

In this dispatch, as in that to which it is a reply, the religious instruction and education is considered in relation only to the European inhabitants of Australia, without adverting to the case of the Aborigines, which, being peculiar, is properly reserved for separate discussion. I

shall therefore content myself in this place, with expressing, what I know to be also your feeling, that the moral improvement of that unfortunate race is an object, among the first, which demands the attention of the Colonial and the Home Governments.

GLENELG.

No. 3. Page 312.

Missions to the Aborigines.—The Great Libel Case.

(From 'The Colonist.')

WE promised in our last number to give a condensed report in this week's paper of the long trial for alleged libel, which had arisen out of the articles published in this journal, during the months of November and December last, on the subject of Missions to the Aborigines; and we now proceed to fulfil our promise.

The action instituted by the Rev. L. E. Threlkeld, against the Editor of this paper, was an action for damages, on account of the injury which he alleged had been done to his character, as a Missionary to the Aborigines, by the articles in question; the damages being estimated by Mr. Threlkeld himself at a Thousand Pounds. But as the Rev. Dr. Lang avowed himself in the mean time as the writer of the articles alluded to, the prosecution was transferred to him from the Editor of this paper. The case came on for trial before His Honour Judge Burton and a Special Jury, on Monday the 21st current; the Solicitor-General and Richard Windeyer, Esq., being the Counsel for the plaintiff, and Dr. Lang appearing for himself. The trial lasted for two whole days, and excited intense interest in the town; the Court being unusually crowded during the whole of the proceedings.

The case was opened by the Solicitor-General, who read and commented on the paragraphs alleged as libellous; giving of course, agreeably to the use-and-wont phraseology of the law, "a false, scandalous, and malicious" construction to every sentiment or sentence which the plaintiff had thought proper to object to. The following is an outline of the learned Gentleman's speech:—

The Solicitor-General stated the case to the Jury. This was an action brought to recover damages for a libel published in 'The Colonist' newspaper, the Editor of which was a gentleman named Bull; but the defendant upon the record had avowed himself the author of the articles complained of. Plaintiff and defendant were both ministers of religion;

the one had been ordained as a missionary, and the other as a minister of the Scots church. He felt much pain in entering into this case, knowing that his client had felt considerable grief at having been obliged to have recourse to such a mode of proceeding. His client knew that this was not a proper arena for the display of two clergymen; he knew well that such an action as the present would only afford ground for the scoffs of the irreligious and the infidel, and would gladly have availed himself of any other means of justifying himself in the eyes of the world, against the baneful influence such libels would carry with them. The defendant had doubtless justified the libel; but let the defendant, if he could, prove the justification on the record. Such justification only added insult to injury. Of course he knew his own case best, and might consider that he was right. The following, the learned Solicitor-General observed, were the circumstances out of which the case had arisen:—

About the year 1824, plaintiff had been stationed on one of the South Sea Islands; but in August of that year he came up to Sydney, in company with two gentlemen who had been sent out as a Deputation from the Parent Society at home. When the party arrived in Sydney, they considered they were entitled to form a Mission to the Aborigines in this colony; and, in consequence, made application to Governor Brisbane, who gave them a grant of 10,000 acres of land, to enable them the better to prosecute their object; but a clause was inserted in the deed, to the effect, “that the land was given for the sole benefit of the Aborigines, and not to the London Missionary Society.” A selection of land was made at Reid’s Mistake, some twenty miles’ distance from Newcastle, as being the most eligible site for furthering their purposes. When the Deputation returned to England, they left Mr. Threlkeld with certain instructions relative to the Mission. He had his wife and family with him, and considered it best to build a house upon the ten thousand acres. He continued upon this Mission, under the London Society, until the close of 1827, when it seemed the Deputation, from whom Mr. T. had received his instructions, had reached home, and had some misunderstanding with the Parent Society, owing to the instructions given by them to Mr. T. having been more extensive than was approved of. Mr. T. had previously discovered that the expenses were more than he at first anticipated, but for an average of three years he had not drawn more than £200 for his own expenses. Mr. T. had been induced to draw some bills upon the Parent Society to meet current expenses; but these bills were not met when due, and Mr. T. was obliged to meet the law expenses consequent upon their having been dishonoured. These bills, however, were subsequently paid by the Rev. Mr. Marsden. Mr. T.

notwithstanding did not consider himself well used in the matter. The London Society gave instructions to Mr. Marsden to abandon the Mission altogether, and to pay the expense of passage, &c. of Mr. T. to England ; but Mr. T. replied “ that as he had risked his all in the affair, he would rather go and herd with the Blacks, than give up an enterprise in which his whole heart was centered.” He continued to live upon a portion of the land until 1830 ; when, through the recommendation of Archdeacon Scott, he was offered by the Colonial Government £150 per annum, with £36 yearly for clothes and rations for four assigned servants. This agreement was to continue from 1830 to 1835, five years, which had just expired when these publications appeared, and which were calculated to have a very material effect upon the plaintiff's prospects. The Solicitor-General proceeded to comment on the passages in the articles, amounting to ten in number, charged as libellous, pointing out the injury likely to be done to Mr. T.'s character by that publication. He then proceeded to state to the Jury, that when these libels appeared, Mr. T. wrote to defendant, calling upon him for an apology ; but this was refused ; and, instead, portions of his letter appeared with comments in ‘ The Colonist ’ of the 31st December, wherein Mr. T. was charged with either a lack of conscience or of common sense. After the learned gentleman had commented at great length upon the character and probable effect of the libels, he concluded by saying that Mr. T. did not come there to seek for heavy damages. If they (the Jury) gave the whole amount stated in the declaration, he (Mr. T.) would shrink from touching *one farthing* of it ; but when the proceedings went forth amongst the friends of Mr. T., scattered as they were over all parts of the world, they would judge of the nature of the libels by the amount of damages they saw appended to the end of the trial ; and therefore mere nominal damages would not answer the purpose sought to be obtained that day.

At the close of the learned gentleman's speech, the following witnesses were examined on the part of the prosecution :—

Mr. James Backhouse. I am at present sojourning in this colony on a religious mission, undertaken at my own expense, but sanctioned by the Society of Friends ; I have read the articles complained of ; I think they are calculated to do much injury to the character of Launcelot Threlkeld ; the conclusion I came to on reading these articles was, considering the articles to be written by Dr. Lang, I thought he would be convinced of the accuracy of his statements before he made them ; but at the same time knowing Launcelot Threlkeld, I considered that he had evinced great want of judgment, to say the least of it, in the conduct of the mission. The phrase “ liberal of other people's goods ” I believe to

imply that Launcelot Threlkeld was more liberal of other people's property than he would have been of his own. I do not consider these words as implying plaintiff was dishonest. I understood by the use of the word *untrustworthy*, that the writer of the articles considered, that having squandered away the property of the mission, he was unfit to be entrusted with its management; the effect of these articles on reaching England would be modified according to the description of persons into whose hands they might fall—if into the hands of a friend to the mission, they would be suppressed; but an enemy would be likely to make a handle of them against the cause.

Cross-examined by Dr. Lang. I have read the whole of the articles; I am aware that other missionaries are included in the remarks about sheep, but taking that part in connexion with some verses from a song, which appeared in another part of the paper, I consider it as applying to Launcelot Threlkeld; I consider such publications as injurious to missions; I admit that truth is paramount to all other interests in its proper place.

Mr. George Washington Walker, another member of the Society of Friends, deposed to the same effect. He was cross-examined as to whether Mr. Threlkeld had produced any documentary evidence to convince him that the statements were incorrect; to which he replied that he had not.

The Rev. Charles Price, a minister of that body of religionists called Congregationalists or Independents, gave evidence similar to the preceding witnesses. On his cross-examination, he deposed that Mr. Threlkeld had never shown him any statement of his accounts; he had come to the conclusion, that the whole was false, because he considered the comments on Mr. Thelkeld's letter weak and contemptible.

The Honourable Alexander M'Leay, Esq., Colonial Secretary, deposed, that the plaintiff was a missionary paid by Government, at the rate of £150 per annum, and £36 allowances for four convict servants. He was recommended to Government for that employment by Archdeacon Scott; he believes that the plaintiff had always conducted himself to the satisfaction of the Government.

Cross-examined. The grant to the London Missionary Society was abandoned by the Directors, on account of the expense of the mission; I have the letter of Mr. Hankey, renouncing the grant; the Wesleyan Missionary Society applied for a similar grant, but I do not remember the result.

This was the case for the prosecution, at the close of which the Court adjourned for a few minutes.

As soon as the Court had again met, Dr. Lang commenced his reply, by observing,—

That he had to apologise to His Honour, and to the gentlemen of the legal profession generally, for appearing personally in this case, instead of availing himself of the services of counsel. He had not done so from any want of confidence in the abilities of the gentlemen of the Bar, much less from any distrust of their uprightness. But as the case appeared to him to be very much out of the ordinary course of legal proceedings; as it involved the character of several Ministers of religion in this colony; as it was intimately connected with the interests of Christian missions; and as it bore upon the character of the first grand effort that was ever made in behalf of the Aborigines of this territory; he had felt himself constrained not to leave it in the hands of any gentleman, however talented and upright, who would be likely to treat it as a mere matter of law—he had felt himself compelled to plead in person. In short, the motive by which he was actuated, was the one embodied in the maxim, “*Ne respublica Christiana capiat detrimentum* ;”—lest the interests of the Christian religion should otherwise be compromised.

He was aware it had been insinuated that his only motive in coming before that Honourable Court in person was a mere desire of display—a mere itching for an opportunity of speaking in public. He begged, however, to meet every such insinuation with a flat and peremptory denial. His Honour might not be aware of the fact, but many gentlemen present were, that no man in the colony had been more traduced and libelled by the public press for many years past than himself; and that, consequently, if he had been desirous of figuring in that Honourable Court on a subject so comparatively insignificant as himself, he might have had an opportunity of doing so, by instituting actions for libel, almost every term. But during the whole thirteen years he had been resident in the colony, he had never brought any such action against any individual whatever. God forbid that he should ever prosecute any man for merely libelling him! God forbid that his reputation, as a minister of religion, should ever fall so low that he should require to ask for a certificate of character in a court of law! The Master whom he had served had been publicly designated a glutton and a winebibber, a Samaritan and a devil—the worst words in the Jewish vocabulary; and he was well aware, that the more honestly any of his servants endeavoured to tread in his footsteps, both by embracing every opportunity of doing good to his fellow-men, and by expressing his candid opinion of those who were sacrificing the best interests of the community under the pretence of religion, the more certainly would he meet with precisely similar treatment at the hands of unprincipled men.

But the Divine Author of our holy religion instituted no actions for libel, and neither would any of his professed followers, if at all actuated by his spirit, and desirous of following his example. The plaintiff in this case, doubtless, professed to come into Court in the character of a minister of religion—of a minister of religion possessed, forsooth, of such apostolic zeal as to carry him beyond the bounds of civilized society, and to make him devote all his energies both of body and mind to the Christianization and civilization of the wretched Aborigines of Australia. The plaintiff, he repeated, had come into Court with a prosecution for alleged libel, simply because he had been accused of an injudicious and extravagant expenditure of the public money as a Missionary to the Aborigines, and of having thereby compromised and ruined the cause he professed to advocate and defend! Why, as a minister of religion, he would ask no better presumptive evidence of the truth of the accusations against this individual in the articles alleged as libellous, than the fact of his having instituted such an action. It was evident at all events from such procedure, that he was no follower of the Master he professed to serve. If he had, he would have shrunk from the apostolic interrogatory, “Dare any of you go to law?” He would have found that there were other ways and means, open to a minister of religion, for the vindication of his injured character than that of instituting an action for libel.

He was desirous, however, that he should not be misunderstood in these observations. He would be sorry to attempt to shelter himself from the just punishment due for inflicting an injury on the plaintiff, by pleading the plaintiff's incompetence as a Christian man and a Christian Missionary, by asking reparation for such injury in a Court of law. If he had done the plaintiff wrong, he was ready to suffer for that wrong. He only mentioned the circumstance, to show that there must have been something grievously wrong with the man as a professed Christian Missionary all along; for if there had not, he would have acted the part of a Christian Missionary on the present occasion, in regard to this alleged attack upon his character; and instead of coming to that Honourable Court to have his character rectified, he would have remembered the divine injunction, “Commit thy way unto the Lord; trust also in him; and he shall bring forth thy righteousness as the light, and thy judgment as the noon-day.” He was truly sorry, however,—he was absolutely ashamed to find a professed minister of religion, nay, a professed Missionary to the Aborigines, who must be supposed a much more apostolic character than a common minister of religion, appealing not to the Scriptures—that last Court of Appeal for all genuine Protestants—but to the law. It reminded him of those dark and gloomy days when ministers of reli-

gion were accustomed, for lack of argument, to call in the secular arm, and to appeal to the justice of the Holy Inquisition.

He felt it necessary to establish this principle—the incompetency of a minister of religion to prosecute for libel—on general grounds, as well as in regard to this particular case. A minister of religion had doubtless an equal right with any other subject of the realm to claim the protection of the law, when his character was attacked through the press; but the moment a man stood forth before the public as a minister of the religion of Jesus Christ, he renounced all such right; and it was thenceforth as incongruous for him to prosecute for libel, when his character was assailed through the press, as it would be to fight a duel. This was the principle on which he had uniformly acted himself in this colony, when traduced and libelled by the public press. It was the principle on which he had uniformly acted years before he had ever had the slightest expectation of having any control over any portion of that press himself; and it was the principle on which he was determined to act for the future.

But independently altogether of this ground of disqualification, the plaintiff had disqualified himself for bringing any such action as the present in another way. At an early stage of his history as a Missionary to the Aborigines, the plaintiff's procedure in that capacity had been called in question, and his expenditure of the funds of the Society he belonged to found fault with as extravagant and enormous. The Rev. Mr. Marsden, as agent of the Society, had refused to sanction his bills; the Directors had refused to pay them, and they were consequently returned to the colony dishonoured and protested—a circumstance which had given rise to legal proceedings in the Supreme Court. In these circumstances the plaintiff had appealed to the public—he had appealed from the alleged injustice of the Society's agent in the colony, and of the Directors in London, through the press; having published a pamphlet in Sydney, in which he reflected in the most unmeasured language both on the Rev. Mr. Marsden and on the Directors. Now it was a principle acknowledged in the Court of Criticism, that when a man appealed to the public through the press, he precluded himself from all right to appeal to the law. But here was a minister of religion, who ought never to have prosecuted for libel at all, appealing to the law for the vindication of his character after having appealed to the press! The press was quite as open to him now, as it was on the occasion he referred to; why then did he not adopt the same course? He had thrown his whole case upon the press then, and submitted it to the judgment of his country; why did he now shrink from the same court of appeal, and appeal to the law?

As to the motives which had induced him to write the articles on Missions to the Aborigines, which the plaintiff held to be libellous, they had been greatly mis-stated by the learned Solicitor-General; and as soon as he had stated these motives, the jury would see that he had not gone out of his way to libel the plaintiff, nor had taken up his case unnecessarily.

It was well known that he had written a good deal for the press during the last few years. He had published three volumes, chiefly relating to the colony, when last in England; and since his return to the colony, he had also written occasionally for publication; but in both cases his sole object in so writing was the furtherance and advancement of the intellectual, the moral, and the spiritual welfare of his adopted country. Now it was natural above all things for a writer on this colony to advert to the state and circumstances of its aboriginal inhabitants, and especially to point out whatever had been attempted, either by the Government or by private religious associations, to improve their character and to ameliorate their condition.

But another circumstance had induced him to take up the subject of the Aborigines at the time when the articles alleged to be libellous were published. When in London, in the year 1834, Mr. Buxton, with whom he had the honour to be acquainted, had informed him of his intention to move for the appointment of a Select Committee of the House of Commons, to ascertain the circumstances and condition of the aboriginal inhabitants of all the colonies of the empire. Mr. Buxton had also requested him to remain in England, to be examined by the Committee on the subject of the Aborigines of this colony; and when the appointment of that Committee had to be deferred in consequence of ministerial changes, he had requested him to write him a letter on the subject, which he told him he would cause to be printed in the Committee's Report. He had subsequently written Mr. Buxton such a letter as he desired; and at the period when the subject of the Aborigines was taken up for discussion in 'The Colonist' newspaper, information had just arrived in the colony, of the appointment of Mr. Buxton's Committee, and of its having actually proceeded to business. The object of that Committee would appear from the following title of the Minutes of Evidence taken before it, as extracted from a recent number of 'The South African Commercial Advertiser,' in which numerous extracts from the evidence had been lately published:—

“ Minutes of evidence taken before the Select Committee appointed to consider what measures ought to be adopted with regard to the native inhabitants of countries where British settlements are made, and to the neighbouring tribes, in order to secure to them the due observance of

justice and the protection of their rights, to promote the spread of civilization among them, and to lead them to the peaceful and voluntary reception of the Christian religion."

Now feeling assured that the appointment of this Parliamentary Committee would very soon lead to the adoption of vigorous measures, on the part of Government, for the protection of the Aborigines of the territory, as well as for their Christianization and civilization, he conceived it was both expedient and necessary, previous to the actual adoption of any such measures, to put the colonial public in possession of the facts, as to what efforts had already been made on behalf of the Aborigines, either by the Government or by religious societies ; or, in other words, to give an historical account of such Missions as had been actually undertaken to the Aborigines, or of such Institutions as had been formed in the colony for their intellectual and moral advancement. That this was the real object of the articles alleged as libellous, that the plaintiff's case was taken up in these articles as a matter of history and as a matter of course, and that he had not gone out of his way to make a libellous attack upon him, would be evident beyond a doubt, both to his Honour and to the gentlemen of the Jury, from the following extract, which he would read from the introductory parts of the articles :—

" It is scarcely possible to contemplate the wretched condition of the Aborigines of this colony, in connexion with their various opportunities of improvement during the last forty years, without being irresistibly impelled to the melancholy conclusion, that in the wise but mysterious arrangements of Divine Providence, they have been consigned to a process of gradual deterioration and ultimate extinction before the overwhelming progress of European colonization. Such indeed appears to be the usual and perhaps unavoidable consequence of the European occupation of any country thinly inhabited by uncivilized tribes. For savage and uncivilized man is of all animals the most untractable and the most difficult to be tamed ; and the usual result of his coming in contact with the civilized portion of his species is not certainly his gradual adoption of the habits of civilization, but rather his speedy extinction. European vice and European disease gradually thin the ranks of the wretched Aborigines ; and they speedily disappear from the haunts of their forefathers, like the snow from the southern mountains at the return of spring. The Caribs have long since been extinct in the West India Islands. The North American Indians have almost entirely disappeared from the settlements of New England. And the black Aborigines of the various islands of the Great Eastern Archipelago have, except in a few instances, perished before the superior skill and prowess

of the half-civilized Malay. In all these instances war has doubtless slain her thousands, but intemperance and the other vices of civilized life have slain their ten thousands.

“ But is the colonist of New South Wales to remain inactive in reference to the black natives, under the self-complacent idea, that they are consigned by Divine Providence to hopeless barbarism and speedy extinction? Nay, is he not personally accountable, in some degree at least, for their present degeneracy, and for their progressive extermination? And is he not bound, therefore, to endeavour, if possible, to improve their condition, and to avert their otherwise inevitable doom? We have taken possession of their country, and deprived them in great measure of their means of subsistence; shall we not then endeavour to make them some compensation for the injuries they have sustained at our hands? We have introduced among them a moral pestilence, unknown to their former generations; shall we not then make some effort to stay the plague by endeavouring to supply them with the antidote of religion?

“ The treatment of an uncivilized people by a civilized and Christian nation, who have invaded and occupied and monopolized their territory, and under whose long-continued and systematic aggressions they have been exterminated in one colony, and reduced to a mere skeleton of what they once were in all the inhabited districts of another, is a subject that ought to occupy the first place in a colonial periodical professing to treat of ‘ Colonial Politics.’ And if any department of that general subject is of more importance than another, it is surely that which relates to the efforts which have been made either by the Government, or by private religious societies, for the Christianization and civilization of so unhappy a people. The honour of the British nation, as the grand colonizing nation of modern times, is deeply concerned in this question; and every individual of that nation who sits his foot on these shores, has consequently an undoubted right to ask, ‘ What has been done for the Black Natives of this territory?’ and if it should turn out from the answer he receives to this question, that whatever has been done hitherto has only proved a failure, he has a further right to ask ‘ the reason why.’ Now as we had recently occasion to notice a motion which had been made in the House of Commons by T. F. Buxton, Esq., M. P., in regard to the actual condition of the Aborigines of all the colonies of the empire, we felt ourselves bound in our editorial capacity to take up these questions *seriatim*, and to treat the subjects they refer to as a matter of colonial history.”

After these introductory observations, the articles in question proceeded to describe the first effort which had ever been made on behalf of

the Aborigines. That effort was made by the late Governor Macquarie, from whom a despatch, exhibiting His Excellency's views on the subject to Earl Bathurst, together with two very long letters to His Excellency from the Rev. Mr. Cartwright, of Liverpool, was inserted in the first of the four articles on the subject of the Aborigines; the account of Governor Macquarie's effort on behalf of the Aborigines occupying not less than six columns of the paper. That account concluded in the following manner:—

“ The public are aware that the Institution at Black Town, after promising well for a short time, completely failed. We believe we shall be thought somewhat singular in our mode of accounting for that failure; but we have no hesitation in avowing our opinion, that it rose chiefly from its being the primary, if not the sole, object of the Institution to civilize the natives; and from its not giving sufficient prominence to religious instruction, as one of the means, and, in our opinion, the only means adequate to the accomplishment of so desirable an end. In reference to the very important question which this subject involves, we hold, in opposition to the unfounded dogmas of certain modern philosophers, but in direct accordance with the dictates of revelation, and the voice of universal history, that the original state of man was not that of a savage, but, on the contrary, one of comparative civilization—a state in which he possessed the knowledge of God, and was divinely instructed in a pure and holy religion. For if we institute an inquiry into the ancient nations of India on the one hand, and of Greece on the other, we shall find that the higher we go, the religious system of both these idolatrous countries was the more simple, and the more pure, and the more conformable to reason and truth. Now, in conformity to this incontestably accurate view of the past history of man, we hold also that it is only in consequence of his apostacy from God, and from the pure and holy religion of primeval antiquity, that man has in any instance become a savage, or fallen from his natural and original state of comparative civilization; and, consequently, that the only rational and the only efficient mode of restoring a savage to that primeval state is to instruct him in the knowledge of God, and to captivate his heart and his understanding with the truths of revelation. A mission to the Aborigines, having this object professedly in view, may doubtless be unskilfully managed, and may be undertaken by men who have other things at heart than the spiritual and eternal welfare of these children of the forest. Still however, notwithstanding the ridicule that such sentiments are likely to call forth, from those who consider themselves exceedingly wise in these matters, we maintain, that the establishment of a mission to the Abori-

gines is the only rational mode of attempting to civilize them ; that their civilization will remain utterly hopeless till their conversion to Christianity ; that their moral and intellectual darkness will never be dispelled but by the marvellous light of the Gospel. We acknowledge, indeed, that the Christianization of the Aborigines is an event of which we have hitherto had no reason to entertain sanguine expectations. But perhaps we should cease to regard it much longer as either impossible or impracticable, if some zealous missionary were found willing to conform to their wandering habits for a time, in order to gain access to their understandings and their hearts ; following them as they skim along the surface of the solitary lake in their bark canoes, or hunt the bandicoots and opossums in the depths of the forest, or sing the artless songs of their tribe by their evening fires, or mimic the gambols of the elegant kangaroo in their merry corrobories. And surely the deadly climates of Sierra Leone and the Indies, the fierce intolerance of the Persian Mussulman, and the savage propensities of the cannibal of New Zealand, present far more formidable difficulties to the Christian Missionary, than any he is likely to encounter among the artless Aborigines of New South Wales, in the salubrious climate of Australia."

Now he would put it to His Honour and to the gentlemen of the jury, whether this could possibly be the language of a man who was not sincerely desirous of promoting the best interests of the Aborigines, or who had taken up their cause merely for the purpose of venting personal animosities against any individual whatever.

The second chapter, as it might be called, in this history of Missions to the Aborigines, gave an account of the Mission undertaken by the Wesleyan Missionary Society, and conducted by the Rev. William Walker, of that Society. The following is the account which was given, in the articles in question, of that Mission :—

"The first mission to the Aborigines, which was actually established (for Governor Macquarie's good intentions respecting them were never carried into effect), was projected by the Wesleyan Board of Missions, at the instance of the Rev. Samuel Leigh, a zealous and indefatigable missionary of that communion, who had undergone considerable hardships among the lower orders of the white population of this colony. The Rev. William Walker, a young man of great vivacity of disposition, of considerable eccentricity of manner, and apparently of apostolic zeal, was selected by the Wesleyan Society as their first missionary to the Aborigines. The work for which Mr. W. was destined required neither supereminent abilities nor splendid acquirements ; but in both of these

particulars he was, perhaps, sufficiently qualified, and he was furnished with such books as were likely to be of use to him in acquiring a barbarous and unwritten tongue. The main requisites for his office were undoubtedly a sincere desire for the spiritual welfare of the Aborigines, an elevation of soul that would enable its possessor to look with indifference on the money-making pursuits of an avaricious generation, a constitution capable of sustaining both fatigue and privations, and a spirit of indomitable perseverance. Mr. W.'s qualifications in all these important respects were estimated very highly by his friends, and sanguine expectations were entertained, by himself at least, of his speedy and complete success. For on some persons remarking to him, shortly after his landing, that he had embarked in a very arduous undertaking, and had very unpromising subjects to cope with, he replied, with an air of confidence, 'O, I will either convert them, or they will convert me.' It is scarcely necessary to inform the colonial public, which term of this singular alternative has been actually realized. The natives unfortunately are still precisely in the same state in which they were found by the zealous missionary; but, alas! the Rev. Mr. Walker has, agreeably to his own prediction, been *converted* (we presume by these worthy natives, Cogie, Bungary, Terribalong, &c.) into a settler of the fifth or sixth magnitude, in this money-making colony! 'O, what a falling off was there!'

"A different result, we must acknowledge, was for some time anticipated by Mr. Walker's friends; and that anticipation, we deem it but right to add, was founded chiefly on his own representations. Shortly after his arrival in the colony, in the year 1821, Mr. Walker visited the institution at Black Town, and, if we are not misinformed, subsequently resided for some time at that settlement. From his own letter, published in 'The Australian Magazine' for 1822 or 1823, a short-lived colonial periodical, long since defunct, his reception appears to have been equally warm and encouraging—in short, every thing that a Missionary could have wished. 'On Sunday the 7th instant (the Rev. Gentleman writes), the inexpressible gratification was afforded me of paying a visit to the settlement of the Aborigines. * * * Having brought some clothes with me, I distributed four gowns to the females, four pair of trowsers to the men, and one frock to a little baby. These small presents were received with those expressions of gratitude, which have made an indelible impression on my mind, of their capability to receive instruction, and of adorning any or every station in civilized life.' Mr. W. subsequently, as he tells us, 'perambulated the wood, whilst the poor

Aborigines were left to their own cogitations and discourse. On our return we received such a welcome as will ever redound to the sensibilities of their minds. The Lystrians (Acts xiv.) were not more bent upon acts of benevolence and beneficence. Their week's supply of food produced, as it were, instantaneously to satisfy, what, they conceived, the calls of nature. In fact, I may use the language of the Apostle, and say, 'I bear them record, that, if it had been possible, they would have plucked out their own eyes and given them to me.'—*Gal. iv. 15.* I could easily adduce facts to substantiate these assertions. Facts are stubborn things! * * * *There is an open field for British beneficence. Shall those who can say, 'Am I not a man and a brother,' be destitute of our assistance? Shall we not render those poor creatures some equivalent for the vast territory of this land which we occupy? Every reader's heart, I feel confident, rebounds with, What can I do? When can I do something? I answer, Do all you can, and do it immediately. Now is the accepted time.* In conclusion, let me add, I have only presented a very brief epitome to our readers of the pleasing visit. I left them with a consciousness of having never been favoured with a more profitable or serious season during my ministerial career. The number was thirteen; and all were agreed that, if I could tell them when my next visit would be paid, all their tribes would be in attendance. Moreover, I was assured by their unanimous voice, that were the above encouragement (a few clothes, agricultural implements, and a temporary supply of food) afforded, their respective tribes would *immediately* form themselves into a settlement.'

"The world we live in is doubtless a scene of most mortifying disappointment. Who, for instance, could have expected that the writer of these 'elegant extracts,' (taking it for granted, all the while, that they exhibited the truth, and nothing but the truth,) that the kind-hearted, humane, zealous friend of the Aborigines would desert the cause he had so eloquently pleaded, and the congregation that clung to him with such ardent affection! We speak not of his duty as a Christian and a Missionary, when we reprobate such desertion, as we cannot help doing in passing; we merely ask, Where were his feelings as a man?"

Now it was evident from these passages, that if the plaintiff had been libelled in the articles in question, he was not the only person who had been so. Mr. Walker had a prior right to prosecute for libel, as it was evident he too had been somewhat roughly handled, in regard to his mode of managing the Wesleyan Mission to the Aborigines, even before the plaintiff's case had been taken up at all. But it was equally evident

from these passages that both the one case and the other had been taken up solely on public grounds, and that, in doing so, the parties interested had been weighed impartially in the balance of history. Mr. Walker indeed was too sensible a man to institute an action for libel for any thing of the kind. He was doubtless conscious that he had got nothing more than what he richly deserved, and he was right therefore in taking it patiently.

The third chapter, as it might be called, in the history of Missions to the Aborigines, was the one relating to the mission in which the plaintiff had been concerned—the mission undertaken under the auspices, and at the expense, of the London Missionary Society. The history of that Mission is introduced, in the articles alleged as libellous, with the following observations:—

“The next person who appears in the annals of the colony as a Missionary to the Aborigines, is the Rev. L. E. Threlkeld, of the London Missionary Society. Towards the close of the year 1825, the Rev. Daniel Tyerman and George Bennet, Esq., arrived in this colony from Tahiti and the South Sea Islands, to which they had been sent in the year 1821, as a deputation, to inquire into the state of the missions in these islands, by the London Missionary Society. During their residence in this colony, the state of the wretched Aborigines of New South Wales was brought repeatedly under the notice of these gentlemen, as well as under that of His Excellency Sir Thomas Brisbane, by Saxe Bannister, Esq., who was then Attorney-General of New South Wales, and whose slender abilities as a lawyer were perhaps more than counterbalanced by his warm and active benevolence as the friend and advocate of injured and oppressed humanity. At the suggestion of Mr. Bannister, the deputation agreed to establish a missionary to the Aborigines of this territory; and in order to the successful accomplishment of so important an object, His Excellency Sir Thomas Brisbane granted to the London Missionary Society, subject to the approval of the Secretary of State for the Colonies, ten thousand acres of land, in whatever part of the unlocated territory of the colony the directors might think proper to make a selection to that extent, for the establishment of a mission to the Aborigines.”

These preliminary observations were then followed by a copy of the deed of grant to the London Missionary Society, by an account of a similar grant given for similar purposes to the Church Missionary Society, and by certain correspondence with the Secretary of State for the Colonies; from which it appeared that the faith of Government had been pledged to make a similar grant to the Wesleyan Missionary

Society, provided the other two should be found to prove conducive towards the attainment of their common object, the Christianization and civilization of the wretched Aborigines.

Having thus shown in what manner the case of the plaintiff as a Missionary to the Aborigines had been taken up, in the articles alleged as libellous, he would now read and make a few explanatory observations on those passages in these articles on which the plaintiff had been pleased to put a libellous construction.—The first of these passages was the following :—

“ On proceeding to his station, Mr. Threlkeld was furnished by the deputation with a *carte blanche*, authorising him to draw upon the Directors of the London Missionary Society for whatever sums might be indispensably necessary for the establishment of the mission. And as nothing further could possibly have been required for that purpose, especially at the outset of the undertaking, than was necessary for the formation of an agricultural or grazing establishment, the deputation had a right to expect that Mr. Threlkeld's wants would be comparatively few, and his demands on the Society correspondingly limited. In fact, all he had to provide for, in the first instance, was the erection of a bush-house, and the clearing and cultivating of a few acres of land ; and as the services of three or four convict servants, to be rationed by the Government, could have been procured for the mission at the period of its commencement with the utmost facility, the expenditure absolutely necessary for its establishment and maintenance ought to have been comparatively small. In short, when we think of the extremely limited means with which many individuals of undoubted respectability, and of superior education, were enabled, about the period we refer to, to establish themselves *in the bush* in this colony, we are confident we make a most ample allowance for Mr. Threlkeld, when we give it as our decided opinion, that with £500 of original outlay, and a salary of £100 or at most £150 per annum thereafter, the London Missionary Society's proposed mission to the Aborigines ought to have been successfully established and permanently maintained. We appeal for the correctness of this statement to every settler of eight or ten years' standing in the colony. We know the country well, and we know also how very little many respectable men, who have since made themselves independent in the colony, had to expend in those days : and, taking into consideration, moreover, the manner in which the Society's funds are for the most part collected, viz.—by penny-a-week subscriptions from persons of the humbler classes of society in Great Britain and Ireland, by the hard-earned but freely contributed donations of the virtuous

servant-girl, and by the Christian widow's accumulated mite, we have no hesitation in adding, that the man who could expend more than the sum we have mentioned, in establishing a mission to the black natives, or ask a larger salary thereafter than the one we have represented as sufficient, must have been utterly unfit for the office assigned him.

“What then will the public think, when we inform them, that, during the period of two years and a half from the commencement of the mission to the Aborigines, Mr. Threlkeld managed to expend upwards of two thousand seven hundred pounds sterling of the funds of the London Missionary Society, for the establishment of that mission; and that because the Rev. Mr. Marsden, who was then the agent of the Society in New South Wales, would not allow him to draw upon the Society for a permanent salary of £500 per annum, as he considered £300 a year, which he offered to allow him, was amply sufficient for the purpose, the zealous Missionary left the settlement at Lake Macquarie, on which so vast an expenditure of public money had been incurred by his own orders altogether, and came to Sydney with his family, to get up a pamphlet of crimination, forsooth, against the Rev. Mr. Marsden, representing himself as a deeply injured and persecuted man.”

Now he would show His Honour and the gentlemen of the jury, that although the plaintiff, in a letter to which he would have occasion to advert afterwards, had been pleased to characterize the statements he had made in this passage, relative to the expenditure of the mission, as a “malicious misrepresentation” and a “wilful falsehood,” they were not only substantially but literally correct. As to the *carte blanche* which had been given the plaintiff to draw upon the funds of the London Missionary Society, it was given explicitly enough in the following passages of the letter of instruction, which the deputation had written the plaintiff, of date, Sydney, February 24, 1825, a copy of which is given in the plaintiff's own pamphlet—

“You will use your best endeavours to erect a suitable residence on some appropriate spot within the limits of the land which has been given. As to the best means of building such a house, this will be left to your own discretion; *the funds of the Society being responsible for the expenses*, you will see it necessary to use all the economy which is consistent with domestic convenience and comfort.

“As to the means of subsisting yourself and family, it must be left to your own discretion. Assured that you will use all the economy which is consistent with your domestic comfort, *we pledge the funds of the Society for your support, and authorise you to draw upon the Treasurer for such sums from time to time as may be necessary*; at the same time, we request that,

so soon as you can ascertain what sum will be equal to your annual support, you will name it to the Society at home, persuaded that a fixed annual salary will be more agreeable to all parties."

In reference to these instructions, it was worthy of remark, that, in the plaintiff's pamphlet, the clauses pledging the funds of the Society were given in *Italics*, to make the thing conspicuous to the reader, while the clauses enjoining economy were allowed to remain in the old Roman character. As to the expense required for the organization and the subsequent maintenance of a mission to the Aborigines, he could not conceive what else was necessary for such a purpose than was required for the formation of a common agricultural or grazing establishment. A house would require to be erected, and a few acres of ground cleared and fenced and cultivated, and a family supported till some produce could be obtained from the land. And he was confident—he appealed to men of experience, who would bear him out in the assertion, when he appealed to the gentlemen of the jury, as to whether they had not known many respectable individuals who had done all this in the bush in this colony for much less in the way of original outlay than £500, and who had to draw their entire subsistence from the soil thereafter, instead of receiving a yearly salary of £150, which he had allowed the Missionary to the Aborigines. In regard to the time in which he had alleged the plaintiff had expended upwards of £2700 for the formation of the Aboriginal Mission, viz., two years and a half, he appealed for the truth of that statement to the plaintiff's own printed pamphlet. At the close of that pamphlet there was a summary of the plaintiff's expenditure for that Mission from June 4, 1824, to September 21, 1827; the sum total expended during that period being £2734 14s. 9½d. But on the 4th of June, 1824, the plaintiff was in Raiatea, one of the South Sea Islands, and did not arrive in this colony, on his way to England, till the 19th of August following; and it was three or four months thereafter before the Mission to the Aborigines was even thought of. On the 7th of January, 1825, the plaintiff went to Newcastle with Messrs. Bennet and Tyerman; returning to Sydney on the 19th, without visiting the future station for the Mission at all. In the month of March following, he proceeded to Newcastle a second time, and got as far as Lake Macquarie; but it was actually the 7th of May, 1825, ere he finally left Sydney with his family and establishment to form the Mission to the Aborigines. Deducting therefore the sum of £30 charged by the plaintiff for his passage from Raiatea and incidental expenses; and allowing £4 14s. 9½d. for his expenses in visiting Newcastle in January 1825, there remained an expenditure of £2700 incurred, on the plaintiff's own showing, on account

of the Aboriginal Mission, from the middle of March, 1825, to the middle of September, 1827, that is, exactly two years and a half. Incredible as it might appear to people residing in this colony, the plaintiff had actually incurred, on his own showing, for the establishment of his Mission to the Aborigines, an expenditure of £ 1080 a year for *two years and a half*! And from whose funds, he would ask the gentlemen of the jury, was this enormous expenditure derived? Not from the public treasury of New South Wales, replenished as that treasury is, ever and anon, by the rum-sellers and the rum-drinkers of this colony; but from the penny-a-week subscriptions of the poor but virtuous English servant-girl, of the Christian and charitable workers in cotton-mills and other unhealthy establishments, of the poor widow and the little child, who were both encouraged and invited to cast in their mite, for the propagation of the Gospel among the heathen, into the treasury of the Lord! It was from such a source as this that the plaintiff could incur the heartless and enormous expenditure of £ 1080 a year for two years and a half!

As to the purposes for which this vast expenditure had been incurred, without going over the accounts particularly, he would only advert to a single item in these accounts—the item of tobacco! In one part of these precious accounts, a keg of tobacco, partly for the Blacks, is charged to the Society at £ 30 15s.! In another, tobacco for the Aborigines forms one of a list of sundries, amounting altogether to £ 69 2s. 5d.! And in a statement of the probable annual expense of the Mission for the future,—which the plaintiff estimated at the very least at £ 500 a year,—two shillings a day, or £ 36 10s. a year, is the sum charged for tobacco! Now, who ever heard of a Minister or a Missionary teaching his people to smoke or chew tobacco? The apostle Paul had to preach to Barbarians and Scythians, as well as to the polished Greek and the lordly Roman; but who ever heard of his teaching any of these classes to smoke tobacco? He knew it would be said in reply, that it was necessary to give the natives tobacco to get them to work: but the use of tobacco leads directly to the use of strong drink, and the use of strong drink to crime, transportation, and ignominious death; and was either a Minister or a Missionary justified in doing evil in any instance that good might come?

But the fact was, the plaintiff had entirely mistaken both his duty and the nature of his employment as a Missionary to the Aborigines. He had gone about, in direct opposition to the express instructions of his constituents, to found a colony, instead of establishing a Mission; and he had consequently incurred the enormous expenditure he had been reprobating, for purposes that were in no way connected with the Christianization of the Aborigines. The object of the London Missionary

Society was not to found a colony, but to preach the Gospel, to disseminate Christian knowledge among the heathen ; and in the pursuit of that grand object the Christian Missionary was to go forth into the forests of Australia, with exactly the same weapons in his hand as the Holy Apostles had wielded of old, and trusting for his success to the same mighty, or rather almighty, power, to which alone they had trusted when they went forth, with the everlasting Gospel in their hands, into the porticos of Athens and the capitol of Rome.

The learned Solicitor-General had alleged that the plaintiff had never charged more than £180 or £200 a year for his own personal expenses ; the other expenses being what he calls the expenses of the Mission. But for the first year, or rather for the six weeks that elapsed from the 7th of May, 1825, when the plaintiff finally left Sydney for Newcastle, to the 21st of June, or the month following, he found £322 8s. 1½d. charged for personal expenses, in addition to £150 19s. 10d. for household furniture, and £24 12s. 8½d. for medicine ! There was doubtless board and lodging in Sydney to be paid for out of this amount for a few months previous to the 7th of May, 1825 ; but the sum total was exactly as he had stated it, and that sum he had no hesitation in characterising as extravagant and enormous.

In regard to the plaintiff's estimate, as to £500 per annum being the sum indispensably necessary for conducting the mission, while the Rev. Mr. Marsden would allow him only £300, the plaintiff's own statement in his own precious pamphlet was surely sufficient authority. " I can only state the fact," observes the plaintiff, in a letter to the Directors, of date, 31st October, 1826, " that it is impossible to be conducted under five hundred pounds sterling per annum at present, and that the decrease will not be, for years to come, of great importance." And again, " I met Mr. Marsden at a friend's, where a statement was shown him of the expenditure, and, to the best of my recollection, no fault was found with it, only Mr. Marsden thought to allow me £300 a year, &c."

The following extracts of letters addressed to the plaintiff by the Directors of the London Missionary Society, would evince the opinion that was entertained of the plaintiff's expenditure by his own constituents. The first of these extracts was from a letter, dated Mission House, Austin Friars, London, March 2, 1826, when the plaintiff had drawn only £750.

" Dear Sir,

" We wrote you at considerable length, under date the 29th August last. Our letter was forwarded per the Prince Regent, and the du-

plicate thereof by the Sesostris, both addressed to the care of the Rev. Mr. Marsden. Since that time we have received the following letters :—from Sydney, under dates of 23rd and 25th of April, and 1st of June, and from Newcastle, of July 5, 1825—and we think it necessary to inform you, that we experienced no small surprise and concern to find that you had drawn upon the Society to so very large an amount, for which, indeed, we are not at all prepared. We, of course, expected that the establishment of the mission would occasion, for the first year, an extra expenditure ; but we certainly did not anticipate any such amount on this ground, as that for which you have drawn bills on the Society ; and this appears is not all, but that you also purpose drawing bills for £100 or £150 more, making a total amount of £900. Giving you the fullest credit for the goodness of your motives, we cannot refrain from observing, that while it was yet a matter of uncertainty whether the Society would sanction the project, and while you were quite uninformed as to the extent we should be disposed to go, in point of expense, for any mission at all in that quarter, to incur obligations to so great an amount as almost *one thousand pounds* does appear to us a procedure by no means to be justified on the score of prudence ; and we doubt not, upon reconsideration, that you will yourself perceive that it would have been proper to expend, in the first instance, just so much money as your necessities absolutely required, and no more, until you had received communications from us, containing our views and determinations as to the establishment of the mission, and the scale of expenditure on which it was our will that it should be conducted, in case we sanctioned the establishment of the mission itself.

“ But our principal reason for writing to you at present, is to prevent all future immoderate expenditure ; and, in reference to this point, we have adopted the two following resolutions :—

“ 1. That the Rev. Mr. Threlkeld be instructed to give no more bills on the Society, unless drawn with the sanction of the Rev. Mr. Marsden, as without his sanction they will not be honoured.

“ 2. That the Rev. Mr. Marsden be respectfully requested to sanction the bills drawn by the Rev. Mr. Threlkeld, only to such amount as, in his judgment, shall appear absolutely necessary to carry on efficiently, and with the strictest regard to economy, the Aboriginal Mission at Reid's Mistake.”

He had drawn for a somewhat more respectable amount when the letter, of which the following is an extract, was written him :

“ Mission House, Austin Friars, London,

“ March 22, 1827.

“ Dear Sir,

“ After being apprised, by the perusal of the postscript to our letter to you of the 8th ultimo, of the painful feelings excited in our minds by your letters just then received, advising of your having further drawn on the Society bills to nearly the sum of £ 640, (making a total outlay on account of the proposed Mission to the Aborigines of upwards of £1800 in the course of only two years,) you will be prepared to hear, that we have resolved to adopt some measure with a view to put a stop to this exorbitant expenditure, which has excited in us a degree of surprise and apprehension that we should find it difficult to express.”

The next portion of the articles on Missions to the Aborigines, on which a libellous construction had been put by the plaintiff, was as follows :—

“ In the mean time, the Directors of the London Missionary Society became completely disgusted at the manner in which their Mission to the Aborigines had been conducted, and, accordingly, giving Mr. Threlkeld his ticket-of-leave, gave up the grant, and abandoned the undertaking altogether.

“ The direct pecuniary loss which the London Missionary Society sustained through this individual, was greatly above three thousand pounds sterling.”

He would only observe in reference to this passage, that the plaintiff's dismissal, and the abandonment of the grant by the London Missionary Society, would be clearly established by documentary evidence in the sequel, and that the plaintiff acknowledged in his own letter that the cost of the Mission had been upwards of £3600. The whole of that amount, it could not be doubted, was a dead loss to the London Missionary Society.

Neither would it be necessary to take much notice of the third passage alleged as libellous in the articles in question, which was as follows :—

“ But through the gross mismanagement of the London Society's Mission by the Rev. Mr. Threlkeld, both the London and the Wesleyan Missionary Societies have been deprived of the extensive grants they would otherwise have possessed at this moment, and been virtually compelled to abandon the field of missions to the black natives of this territory altogether. The loss which the whole Protestant community of all de-

nominations in this colony have thus sustained, through the incompetency (to use the very mildest phrase which the case warrants) of a single individual, is quite incalculable, especially in these dark days of Popish ascendancy."

It was matter of notoriety that the Wesleyan Missionary Society, whose labours for the conversion of the heathen had in other countries been so indefatigable and so eminently blessed, had solicited a grant of 10,000 acres of land from Government for the establishment of a Mission to the Aborigines of this colony, and that the faith of the Government had been pledged to their obtaining it, provided that the grants actually given to the other two Societies should prove conducive towards the attainment of their common object: but, through the plaintiff's gross mismanagement of the London Society's Mission, not only had that Society been deprived of their grant, but the Wesleyan Society had also failed to obtain theirs. And who could doubt but that the Protestant community, of all denominations, in this colony, had sustained a very serious injury through such mismanagement? It would surely be unnecessary to justify an inference so obvious and direct as this.

He had now come to the fourth count in this libellous indictment, and it was the one to which the learned Solicitor-General had directed his utmost efforts. The passage complained of was as follows:—

"It is truly lamentable, however, to reflect on the vast amount of good that *might* have been done to all classes in this most unfortunate colony, through the means of extensive usefulness that have been enjoyed at different periods, and rendered utterly inefficient, by incompetent and untrustworthy individuals."

Now, he would observe in the first place, that this was a mere general remark, to which the preceding narrative had doubtless naturally led, but which included various individuals in this colony, and had no special reference to the plaintiff: for it was matter of notoriety to all in the least acquainted with the past history of this colony, that the fact stated and deplored in this paper had occurred again and again, to the manifest injury of the cause of religion in this territory. But he would observe further, that the word *untrustworthy* was not meant to be taken in this passage in the libellous sense which had been given to it by the learned Solicitor-General, as implying moral delinquency. It was evident from the context, that the meaning of the word was, that the plaintiff was, in consequence of his utter incompetency, evinced in his exorbitant and enormous expenditure of the London Missionary Society's funds, unfit for the trust which had been committed to him by

the deputation of that Society, as the organizer of a Mission to the Aborigines : besides the general signification of *confidence*, the word *trust* signified also either certain *property* committed to the management of some person who had to give account of his management of that property, or certain *duty* which the trustee was bound fully as well as faithfully to discharge. Now if it appeared that the person so entrusted was incompetent to the discharge of that duty, or to the management of that property, it was quite allowable to designate him as *untrustworthy* in that particular respect, without implying any imputation on his general character as a member of society. If the captain or sailing-master of any of His Majesty's ships happened to lose his vessel, and it was proved on the court-martial that he had done so through ignorance either of the art or of the science of navigation, he would not only be held as *incompetent and untrustworthy* in that particular respect, but he would either be cashiered or shot for his culpable and criminal ignorance, although not the slightest imputation could be thrown all the while upon his moral character. In like manner, if any person, professing to be a medical man, undertook the cure of a patient labouring under any disease, and by his ignorant and unskilful management killed the patient, he would not only be held *incompetent and untrustworthy* in that particular respect, though in other respects of good moral character, but the law would hold him guilty of culpable homicide, and treat him accordingly. A case of this kind had occurred when he was last in London. A famous quack, a Mr. St. John Long, had got himself into notoriety among the vulgar of the higher classes in the metropolis as a curer of consumption ; which he attempted, of course, by rubbing *some combustible stuff*, as the lower classes in this colony would call it, into the patient's back. He had tried this notable experiment upon a young lady of a highly respectable family, who died under the operation ; and the jury at the coroner's inquest returned a verdict of culpable homicide against Mr. St. John Long, who of course had to make the best of his way to the continent. But he could appeal, for the meaning of the word on which the learned Solicitor-General had laid so much stress, to a most unexceptionable authority. That authority was neither Johnson nor Walker, but a better than either, at least in the present case,—the plaintiff himself. For in the plaintiff's own precious pamphlet, in a letter addressed to the Directors, of date 31st October, 1826, in which he comments upon a resolution of the Directors "that the Rev. Mr. Marsden be respectfully requested to sanction the bills drawn by the Rev. Mr. Threlkeld, only to such amount as in his judgment shall appear absolutely necessary to carry on effectually, and with the strictest regard to economy, the Aboriginal Mission

at Reid's Mistake ;" he observes, " Now, how is Mr. Marsden, residing nearly 100 miles off, to form a judgment, but by a reference to my judgment, who conducts the mission and resides on the spot? This resolution, therefore, does nothing to remove the possibility of immoderate expenditure on my part, were I disposed to act so unworthily ; but only displays an unhandsome, unjust reflection on me, *as being unfit for future trust.*" Now, without adverting to the absurdity of supposing that a man of so much agricultural as well as general experience as the Rev. Mr. Marsden could not know what sum was necessary for the establishment of a missionary settlement in any part of this territory, it was evident that the plaintiff himself recognised in express words, in this passage, the distinction for which he contended, viz., that the word *untrustworthy* referred exclusively to his incompetency for the trust which had been committed to him by the London Missionary Society, and contained no imputation of moral delinquency. In short, the plaintiff accused the Directors of stigmatising him as *unfit for future trust*, or, in other words, as *untrustworthy* in the former of these senses, while they expressly disclaimed every such imputation as that of moral delinquency.

The fifth count in this libellous indictment was founded on the following passage, alluding to the plaintiff's having accepted a salary of £150 from the Government of this colony, as a Missionary to the Aborigines, under the orders of the archdeacon, after having been dismissed by the London Missionary Society, from which he had previously refused to accept of anything less than £500 a year.

" In ordinary circumstances, we should have been somewhat surprised at seeing a non-conformist missionary giving in his adhesion to an archdeacon, and marching thereafter under the broad banners of episcopacy. But we confess that a change of this kind, on the part of so liberal a man (liberal of other people's goods) as Mr. Threlkeld, does not surprise us in the least."

In regard to this passage, he was more than astonished at finding anything like a libellous construction fastened, either by the plaintiff or the learned Solicitor-General, on the mere mention of the circumstance of a " non-conformist missionary giving in his adhesion to an archdeacon." It never entered into his mind to impute it as a disreputable affair to the plaintiff, that he had accepted office under the archdeacon, and had received a government salary in that capacity. He would not have done so himself under any circumstances, but he would not condemn any other man for doing so. In short, his sole reason for adverting to the circumstance at all, was the singular contrast which that circumstance afforded, when compared with the high ground which the plaintiff had

himself assumed in his own precious pamphlet. So long as he was a missionary of the London Society, he would submit to no control whatever: he would not submit to the least interference, on the part of the Rev. Mr. Marsden, with his extravagant and wasteful expenditure of the Society's funds. "If any part of the management," observes this missionary pamphleteer, in a most unchristian and insulting letter to the Directors in London, in which he talks, forsooth, of their *abominable spirit*, because they *found fault* with him for spending the Society's funds, at the rate of £1080 a year,—“if any part of the management is interfered in, it had far better be under the management of the archdeacon at once; then there would be but *one master*; in the other case, there would be too many.”

As to the other part of this portion of the alleged libel—the phrase *liberal of other people's goods*—he really did not see a single syllable to eat back there. Considering that the plaintiff had expended the London Missionary Society's funds, as a missionary to the Aborigines, at the rate of £1080 a year, for two years and a half—an expenditure which the Directors themselves had repeatedly characterised as exorbitant and enormous; and, considering whose funds it was that he was thus expending—that it was the funds contributed in penny-a-week subscriptions by virtuous servant-girls, by poor widows, and by little children, in England; he conceived that the plaintiff had earned his title well—as a liberal expender of other people's goods. If such a phrase—a phrase which so exactly fitted the individual whom it was intended to characterise, if such a phrase was to be fixed upon as libellous, then there was an utter end of what our great poet had characterised as “the liberty of unlicensed printing”—that palladium of the liberties of the people of England. And, that a non-conformist missionary, who had been thus liberal of other people's property, should afterwards have gone over to the archdeacon, he confessed, did not surprise him; for it was not to be expected that the man who could waste the public money in this way would act consistently with his profession in other respects.

He would now come to the sixth count in this libellous indictment. It was founded on the following passage in the articles on Missions to the Aborigines:—

“The injury that has been done to the cause of Christianity in this colony, by men who have been sent out by the British public as Missionaries to the Southern Hemisphere, but who have been utterly unfit for their office from the very first—some of them as to intellect and education, and others as to morals and religion—has been utterly incalcu-

lable ; and the evil they have actually done to this community has been done chiefly by their acting a part in our limited society *which the Lord hates*—that of *sowing discord among brethren*. The genuine and right-hearted Missionary—he who seeks not his own things, but the things of his Master, and who counts all things but loss that he may advance his glorious cause in this worthless world—*this is the man whom the KING delighteth to honour* ; for though contumely and ingratitude should be his constant earthly portion, *HE will ere long bring forth his righteousness as the light, and his judgment as the noon-day*. But the counterfeit Missionary—the man who doffs his apostolic coat to-day, and becomes a mere sheep and cattle man, a mere worldling to-morrow—such a man is a perfect abomination ; and sorry are we, from our very heart, that the race has always been so numerously represented in this colony.”

In order to ascertain the exact meaning and particular application of this passage, it was necessary to observe, that in the year 1826, immediately after his return from England, he (the defendant) had ascertained from certain Missionaries then resident in New South Wales, that there were upwards of sixty Missionaries’ children in the South Sea Islands growing up in a state of semi-barbarism. Conceiving, with these Missionaries, that it would be exceedingly advantageous for these children to be educated in this colony, he had sent to the Missionaries at the Islands, offering to board and educate, free of cost, one or two of the most promising of their children by way of experiment. They had accordingly sent him a promising boy, a native of Sydney, but who had been all his life at the islands, and who could only read and write and cast accounts on his arrival in the colony. That boy had resided between four and five years in his family ; and so well had he answered the expectation of his friends, and so fully had the experiment succeeded, that in eighteen months from the period of his arrival in the colony, he was able to read the Scriptures in the Latin and Greek and French languages, and to translate them from the original into Latin at the opening of the book. In consequence of the correspondence to which this offer had led, one of the Missionaries at the islands had written him on the subject of having an establishment formed for the education of Missionaries’ sons in this colony ; and he had laid the matter before General Darling, who entered into it most warmly, and would not only have given a grant of thirty or fifty acres of land in the immediate neighbourhood of Sydney, for the formation of such an establishment, but even offered to recommend to the Secretary of State to grant more effectual assistance on the part of the Government. But the whole affair had been knocked on the head, through the interference of certain individuals who had been previously

in connexion with the London Society's Mission; and although the plaintiff had virtually admitted in his own letter that he was the person who had interfered on that occasion, and thus rendered any further evidence of the fact unnecessary, he would have been able to bring it home to him, had the young man to whom he had just alluded, as having received his education under his roof, been now in the colony. That young man, he was happy to say, was now at his post, as a Missionary in the South Sea Islands, one of the best-educated Missionaries that the London Society had ever had in these seas. At this moment he was acting in the vanguard of a mission to the Samoa or Navigators' Islands, a groupe which had been designated by sea-faring men, from the savage ferocity of their inhabitants, the isles of murderers. The account of the transaction to which he had thus referred was followed up in the articles alleged as libellous with the following reflection:—

“Such was the second grievous loss which Mr. L. E. Threlkeld, Missionary to the Aborigines, was the means of entailing upon the London Missionary Society, and the cause of Protestant Christianity, in the Southern Hemisphere! It is a loss for which he would never be able to make an adequate compensation, though he should live to the age of Methuselah! But all this, and infinitely more than all this, naturally and necessarily arises, as the venerable John Newton observes, from the system of taking Tom, Dick, and Harry from their benches, their lasts, and their looms, and transforming them all at once into the Rev. Mr. Thomas, the Rev. Mr. Richard, and the Rev. Mr. Henry, &c., and sending them forth into the field of the world as Christian Missionaries, forsooth, to occupy a station in society, for which, for the most part, they have no suitable qualifications, and to exert an influence which they are so apt—even unintentionally and unconsciously—to abuse.”

Now it was self-evident, that the remarks which had been introduced in this manner were intended to be of general, and not of particular application; and sorry he was to observe, that there had been so many cases, in the history of Missions to the South Seas, to which they applied. These cases had not been confined to the Society to which the plaintiff had belonged; viz. The London Missionary Society. They had been furnished by all the three Societies that had established Missions in the South Seas and in this colony—the London Missionary Society, the Wesleyan Missionary Society, and the Church Missionary Society—inasmuch that wherever one went in New South Wales, he could not fail to meet with individuals who had once been Missionaries, but had subsequently thrown aside the Missionary character and office, and degenerated into mere worldlings; thereby bringing contempt upon the Missionary cha-

racter, and doing infinite injury to the cause of our common Christianity. This great evil was attributable in great measure to the Directors of these Societies, rather than to the individuals themselves, in having sent out unqualified persons into the Missionary field. When the London Missionary Society was first instituted, the existence of the South Sea Islands, and the singular state of their inhabitants, had just been made known to the astonished European world by our great circumnavigator, Captain Cook; and the effect which the circumstance had upon the religious world in Great Britain, was a general and ardent desire for the conversion of that singular people to Christianity. It was a period of great religious excitement; and as the London Missionary Society, which was then instituted, could not obtain such persons as they could have wished, to go out as Missionaries to the South Sea Islands, they had just to take such persons as they could get. Of some of these individuals, he was happy to have it in his power to speak in terms of the highest praise; but by far the greater number were totally unfit in regard to intellectual qualifications for the office assigned them; while others, who, in a moment of strong religious excitement, had given themselves publicly to the work of the Lord, in the presence of the religious public of Great Britain, had shown by their subsequent conduct in this colony, that "their righteousness was only like the morning cloud, or the early dew which passeth away." He belonged to a section of the Christian Church which was commonly understood to be the farthest possible from the Church of Rome; but there was one maxim of the Roman Catholics which he was not ashamed to acknowledge that he held, although a Presbyterian—that maxim was, *Once a priest, always a priest*; for he held most distinctly, that the man who was once solemnly ordained and set apart by the Church of Christ, at his own express desire, either for the work of the Christian ministry or for that of Christian missions, could never afterwards desert that work, or, to use the words of the article alleged as libellous, "doff his apostolic coat, and become a mere worldling," without being guilty of an act which implied the grossest dereliction of duty, and the lowest depth of degradation. But grossly as the plaintiff had mismanaged the London Society's Mission to the Aborigines, and humble as his own opinion was of his procedure in that capacity, it never could have entered into his heart to accuse him of the still greater enormity of deserting the Missionary work, and throwing aside the Missionary character altogether. "The man who doffs his apostolic coat to-day, and becomes a mere sheep and cattle man, a mere worldling, to-morrow," was doubtless most exactly descriptive of the Rev. Mr. Walker, formerly Wesleyan Missionary to the Aborigines, and

of various other individuals in the colony whom it would be easy to enumerate ; but it neither could nor did apply to the plaintiff, who had never thrown aside his Missionary character at all.

Much stress had been laid by the learned Solicitor-General on a letter which the plaintiff had written to the defendant, after the publication of those parts of the articles on Missions to the Aborigines on which he had now commented. The plaintiff had doubtless written him a letter, offering to submit his case, as a Missionary to the Aborigines, to any competent tribunal ; but he had also required him to make a full and ample apology, in the next number of 'The Colonist,' for the statements he had published relative to his expenditure of the Society's funds ; and in the same breath he had characterised these statements as " a malicious misrepresentation and a wilful falsehood." Now how could either His Honour or the Gentlemen of the Jury suppose it possible for him to make an apology for his statements on such grounds as these, even supposing he had been conscious of having exceeded the bounds of strict truth, which he was confident he had not ? The articles alleged to be libellous were published while he was absent on clerical duty in Van Dieman's Land. They had been written partly before he left Sydney for that colony, and partly in the public office of a Scotch merchant at Hobart Town, where it was out of his power to procure the plaintiff's pamphlet, which he had not seen for upwards of seven years. But so indelible was the impression which the perusal of that pamphlet had made upon his mind, that he could refer to the plaintiff's expenditure with perfect confidence : and he had that day been able to prove to the Court, from the precious pamphlet itself, that he was right as to the period during which the expenditure had been incurred, to a single week, and to a single pound, as to the amount. In such circumstances, how was it possible for him to write himself a liar, merely because the plaintiff desired him ? He had done, however, what he conceived was his duty in such circumstances. Leaving out the introductory and concluding portions of the plaintiff's letter, which had no reference whatever to the matter in question, he had caused to be copied out from it, and published in the next number of 'The Colonist,' a category of seven statements, contained in the articles alleged to be libellous, with the plaintiff's notes and comments at full length—merely adding a few observations of his own in reply. He had thus given him the full benefit of the press—that court of appeal to which he had himself applied seven years before, when bringing his railing accusation against Mr. Marsden and the Directors ; and if in the following passage, constituting the seventh count in the libellous indictment, he had been characterised somewhat uncere-

moniously, he would put it to His Honour and the Gentlemen of the Jury, whether the writer of such a letter could expect any other treatment from any man who had the smallest regard either for his own character or for the sanctity of truth :—

“ Our character as public journalists stands committed in regard to the statements put forth respecting the Mission to the Aborigines conducted by Mr. Threlkeld. We shall, therefore, hold ourselves in readiness to vindicate the correctness of these statements, whenever they are called in question in a respectable quarter and in a proper manner; but as to Mr. T.’s imputations of ‘prejudice,’ ‘calumny,’ ‘misrepresentations,’ ‘vindictive feeling,’ ‘long-continued wrath,’ ‘base sordid motives,’ and in short of every thing else that is inconsistent with the character of a Christian man, much more of a minister of religion, to the writer of the articles we refer to, we must first be satisfied that Mr. T. is a man of unexceptionable character and conduct himself, as a professed Christian, and especially as a missionary, before we can allow him to cast imputations of this kind upon any person whatever.”

He would now proceed to the eight count in the indictment. It was founded on the following passage in the last of the articles alleged to be libellous :—

“ Now as we had recently occasion to notice a motion which had been made in the House of Commons by T. F. Buxton, Esq., M. P., in regard to the actual condition of the Aborigines of all the colonies of the empire, we felt ourselves bound, in our editorial capacity, to take up these questions *seriatim*, and to treat the subjects they refer to as matter of colonial history. And we are not to be deterred from doing a service of such importance to the public, merely because a man, like Mr. Threlkeld, who has ruined the cause with which he was more immediately connected, and done prodigious disservice, besides, to the general interests of the Missions to the South Seas, chooses to storm and stamp, like a wild bull in a net, at any person connected or supposed to be connected with this paper, for detailing and remarking upon his extravagant procedure. We are not to be deterred from doing our duty to the public, merely because Mr. Threlkeld chooses to threaten us with a prosecution. Prosecution, forsooth! let him prosecute when he likes.”

To interpret this paragraph as imputing improper procedure to the plaintiff during his residence as a Missionary in the South Sea Islands, was to put a most unwarrantable construction upon the language employed. It had no such meaning. But if the plaintiff had managed the London Society’s grant as he might and ought to have done, it would

not only have proved conducive to the attainment of its immediate object, but been an asylum for all the Missionaries' sons in the South Sea Islands, where they might have been brought up either as handicraftsmen or as Missionaries to the South Sea Islands and to the Aborigines of this territory. And who could doubt that in this light the abandonment of the Society's grant, through the plaintiff's mismanagement, had been a prodigious disadvantage and loss to the South Sea Mission generally?

The ninth count in this libellous indictment is founded on the following passage in the comments on the plaintiff's letter, in which, in allusion to the charge of having expended £2700 for the formation of the Mission to the Aborigines within two years and a half—a charge which the plaintiff characterises in his letter as “a complete falsehood and a most malicious misrepresentation,” but which he had that day demonstrated from the plaintiff's own printed statement, was the truth and nothing but the truth—the plaintiff admits, that in six years and four months he had expended, for the Aboriginal Mission and his voyage from Raiatea, £3686. 10s. 3 $\frac{1}{4}$ d.

“Six hundred a year to be expended by a single Missionary for six years in succession, in establishing a mission to the Aborigines of this territory!—it was a scandalous expenditure; and that the man who could have been guilty of expending other people's property at such a rate, must either have lacked conscience or common sense!”

Now, he really did not know how he could retract a single syllable of this language. For whether the expenditure should be rated at £1080 a year for two years and a half, or at £600 a year for six years, he could only repeat, especially considering the source from which that expenditure was derived, “that it was a scandalous expenditure, and that the man who could have been guilty of expending other people's property at such a rate, must either have lacked conscience or common sense.” He had not accused the plaintiff of downright dishonesty; he only told him that if he did not lack conscience, he must have been destitute of common sense; and he was welcome to either term if the alternative. (At this stage of the proceedings, His Honour observed, in reference to the last observation, *Utrum mavis accipe*—“take which of them you like;”—a sentiment in which, of course, the defendant bowed acquiescence.)

He would now come to the tenth and last count in this libellous indictment. In the course of his observations on the plaintiff's procedure as a Missionary to the Aborigines, he had accused him of being instrumental, either directly or indirectly, in preventing the formation of the institution, projected by himself, for the education of the sons of

Missionaries, for the establishment of which General Darling had been so beneficently solicitous. The plaintiff, in his letter, had, indeed, disavowed all knowledge of any such institution; but he had, most unfortunately, appended to that disavowal, the following awkward admission:—

“ I may have said that I did not consider Dr. Lang to be a suitable person to instruct the children of the Missionaries, in the event of an establishment being formed in the colony on very different principles which I proposed to the Missionaries, lest they should imbibe the vindictive spirit of the tutor.”

On this passage of the plaintiff's letter he had made the following observations, which he still conceived were fully warranted, although the plaintiff had made them the ground-work of the tenth and last count of this indictment:—

“ This is a confession with a witness! The proposal which Dr. Lang submitted to General Darling *at the suggestion of a resident Missionary at Eimeo*, and of which General Darling testified his warm approbation, was, that the Missionaries' sons should be boarded and educated in the institution which His Excellency was so willing to assist in forming, *under the superintendence of a married Missionary who had resided in the Islands and could speak the Polynesian language*. Dr. Lang's connexion with it as a tutor was never contemplated. And yet, because Dr. L. was in any way instrumental in forwarding a measure of such prodigious importance to all Missionaries in the South Sea Islands, this individual, who, after ruining and abandoning the cause of his own Society at Lake Macquarie, had come to Sydney to sow discord among other peaceable communities, managed, through his influence with some weak-minded superannuated Missionaries here, to get the whole affair knocked on the head, and thereby deprived the London Society of a second and most valuable grant from the Crown, as well as of the benefit of an Institution in the immediate neighbourhood of Sydney for the education of their Missionaries' sons? Yes! this personification of Christian charity, who is perpetually harping about *vindictive feelings* in others, did all this to be revenged on Dr. Lang, merely for telling him, through the colonial press, to return to his station at Lake Macquarie, and to leave the Roman Catholic controversy to men who were able to manage it! This was the only offence which Dr. L. had given Mr. Threlkeld either directly or indirectly at the period we refer to; and to deprive the Society for this of what would otherwise have been a very fortune to every Missionary's child in the South Seas, his own included, was indeed Italian revenge. In fact, we can never think of the grievous loss which the cause of

Protestantism and the cause of Missions have thus experienced through this individual, but with the deepest regret and the utmost indignation. 'There are six things which the Lord hates;' and the sixth, let Mr. Threlkeld remember, is, 'he that soweth discord among brethren.'"

After what he had already observed, he did not deem it necessary to make any further remarks on the subject of this portion of the charge, as he felt he could safely put it to His Honour and to the Gentlemen of the Jury, whether the plaintiff's own letter did not contain a distinct admission of the very thing with which he had been charged—sowing discord among brethren; for, up to the period when the plaintiff was so obliging as to communicate such information to the missionaries respecting himself, he had been living on the best of terms both with the missionaries at the islands, and with those of their number who were then residing in this colony.

Having already occupied their time to so great a length, he would refrain from any additional remarks, and would now leave the case in the hands of the Gentlemen of the Jury; appealing to their candid opinion, as to whether he had exceeded the bounds of propriety in his remarks on the plaintiff's procedure, as a missionary to the Aborigines,—whether, in fact, the articles alleged as libellous were any thing more than a fair critique on the plaintiff's own previous pamphlet. He had taken up the subject on public grounds—as a matter of colonial history in which the colonial public were deeply interested—and not, as the plaintiff alleged, as a matter of private pique and personal animosity. Neither had he taken up that subject as a mere writer for a newspaper, who had no right nor interest in the matter, and who was merely animated with a spirit of hostility towards the cause of missions altogether. On the contrary, no man in this colony would have rejoiced more cordially than himself in the success of the London Society's Mission to the Aborigines; no man could more sincerely deplore its entire failure and ruin through the gross mismanagement of the plaintiff. As a contributor to that society, he had not merely thrown into its treasury the paltry subscription of a guinea a year—the usual extent of Christian benevolence in these days of coldness and indifference—he had taken one of the Society's missionary youth from the Islands, and given him a liberal education, and fitted him for returning to his post in these islands, as a well-furnished labourer on the missionary field. Of all persons in the colony, therefore, he had the best right to inquire into the plaintiff's mismanagement of the Society's funds. In fine, he felt confident as to the result of this action; assured that the Gentlemen of the Jury would

show by their verdict that they would not suffer any unwarrantable interference with the liberty of the press in this colony.

Dr. Lang's address to the jury, of which we have only given an outline, occupied four hours and twenty-five minutes, and was listened to throughout with the utmost interest by an unusually crowded Court. The Court then adjourned till the following day.

TUESDAY, March 22.

The following evidence was then heard for the defence :—

Archibald M'Leod, Esq. I have lived in this and the sister colony about fifteen years, both as a settler and a government officer. I have experienced many of the difficulties attending the formation of a settlement in the interior. I think it would be as easy to settle a family for instructing the Aborigines as for any other purpose ; in either case, a house would be required, and a few acres of cleared land. The expense attendant on a settlement depends on many things ; but I have known many respectable families who have settled in the interior for a less sum than £500. These families had no salary afterwards : a salary of £150 yearly would make a great difference.

Cross-examined. I know but little of the expenditure necessary for a missionary. If a settler wants to attach the Blacks to his place, he must bribe them with tobacco and victuals.

The Rev. R. Wylde. I am a licentiate of the Church of Scotland ; I have read the articles in 'The Colonist,' which form the subject of the present action ; I am accustomed to read reviews ; supposing the facts stated to be true, I should consider this a fair critique ; I have read much severer ones, where they were much less called for, supposing the statements true ; when the word 'untrustworthy' is used in an absolute sense, I conceive it to mean dishonesty ; but used as it is in the passage before me, I do not think it bears that meaning. Referring to the extract from Mr. Threlkeld's letter, I do not believe that if Mr. T. alleged that Dr. Lang, as a tutor, was likely to infuse a spirit of vindictiveness into his pupils, that such information was likely to produce unanimity ; if Dr. Lang was on good terms with those to whom it was said, I should think it would be likely to cause discord ; the passage reflecting on the Missionary who doffs his Apostolic coat cannot apply to the plaintiff if he still continues to wear it.

Cross-examined. I conceive it to be impossible that Mr. Threlkeld,

if he still wears the Missionary coat, can be meant here; I take the words in their literal sense; taken in connexion with the last line of the song, "The grant is an excellent *run*," I still cannot believe it to apply to the plaintiff, unless he has become "a *mere* sheep and cattle man, a *mere* worldling;" I suppose it was intended that whomsoever the coat fitted, they should wear it.

Re-examined. If I had been aware that one Missionary had become a settler, another a constable, and a third a baker, I should have thought them much more likely to be meant.

Mr. Raymond, jun. I am a clerk in the Colonial Secretary's Office. I produce a letter from W. A. Hankey, Esq. Treasurer of the London Missionary Society, to His Excellency Governor Darling, of date August 18, 1829. The following is the purport of Mr. Hankey's letter:—

"Although the undertaking had been entered upon without the sanction of the Directors, yet they were unwilling to withdraw from it their support, provided the scale of expenses had been compatible with the burdened state of their finances, and the progress of it satisfactory to their minds. In both these respects he was sorry to state, that their hopes had been greatly disappointed. The expense had proved incompatible with their other engagements, and the conduct of the individual entrusted with its management quite unsatisfactory. Their endeavours to regulate his expenditure were treated with disregard and disrespect, till they were under the painful necessity of resorting to the last means of controuling him, by dishonouring some of the bills he had drawn upon them. The indecent manner in which Mr. Threlkeld saw fit to resent this act of protection of the Society, by printing a virulent pamphlet (charging the Society in his account with the expense), and circulating copies of it in England, as well as in the colony, and among the other stations of the Society, inevitably so far injured all the proper feeling required in the relation subsisting between him and them, that by a letter addressed to him, dated 30th May, 1828, they had communicated their resolution to dissolve that relation, and to defray the expense of his and his family's passage to England, in case he chose to return thither."

After expressing his regret at such a result, and observing "that the behaviour and proceedings of Mr. Threlkeld had been such as to entirely frustrate the design of the mission;" Mr. Hankey proceeded to observe, that "Mr. T. had continued, in virtue of a Resolution of the Directors, which had subsequently been superseded, to draw upon the Society, but that they had now resolved no longer to honour any drafts from him on account of the Mission, but to surrender the grant altogether, and to abandon the undertaking."

I produce a copy of documents ordered by the House of Commons to be printed, among them is a dispatch from Lord Goderich.

The Solicitor-General objected to this evidence being received, and cited a case in support of his objection.

His Honour Judge Burton sustained the Solicitor-General's objection.

The Rev. Samuel Marsden. I know that Mr. Threlkeld was employed as a Missionary by the London Missionary Society, for which I am agent. Messrs. Tyerman and Bennet were appointed by the Society as a Deputation, to visit the various stations of the Society; they brought letters to me from the Society. After visiting the Islands, they came to Port Jackson, bringing Mr. Threlkeld with them. At this time the Wesleyan Mission to the Aborigines had been abandoned, and they expressed a wish that Mr. T. should be employed as a Missionary to the Aborigines. He was appointed, and directed to proceed to Lake Macquarie. The Deputation wished me to take charge of the Mission; but I refused, unless I should have some controul over the expenditure. I considered Mr. T. perfectly unequal to the task, because he had no experience to fit him for such an undertaking, and I felt certain he would fall into errors; I had done so myself, and I knew that others had done so. The Deputation, contrary to my advice, gave Mr. Threlkeld liberty to draw upon the Society to any amount; they also directed R. Campbell, Esq., to pay his bills. A bill for £500, which he had drawn, came back protested. I was requested by the Society to pay the amount and discontinue the Mission. I had directions, if Mr. T. chose to continue the Mission, to offer him £250 per year, to which I offered to add £50 on my own responsibility; but he refused to accept less than £500 per annum.—Mr. Threlkeld has only £150 a year now, with allowance for four convict servants.

Cross-examined. I did not think Mr. T. hardly treated by the Directors; I am aware that Mr. T. was sued by Mr. Scott for the bill, but I never thought he would send him to prison; custom has established the use of tobacco, but I should not consider it absolutely necessary in forming a Mission. I was not aware of any proposal being made by Dr. Lang for the establishment of a school for the children of the Missionaries; I do not think it disreputable for Mr. T. to hold office under Government; the articles in 'The Colonist' would, I think, have been better let alone.

John Campbell, Esq., (a juryman) produced a statement of the accounts between Mr. T. and his father, up to the period of the abandonment of the Mission.

Mr. R. Bourne. *I have no recollection of ever having heard of a proposal*

by Dr. Lang for the education of the children of the Missionaries, till I saw it in 'The Colonist.' There may have been such a proposal, but I have no recollection of it. The salary for a Missionary at the Islands is £30 for a man, £20 for his wife, and £5 for each child. That was Mr. T.'s salary at the Islands.

Cross-examined. When I was in London, Mr. Ellis showed me a letter from Dr. Lang, accusing Mr. Threlkeld of squandering the funds of the Society.

Re-examined. *The subject of that letter was Lang's proposal for the establishment of a school for the children of the Missionaries.*

This closed the evidence for the defence.

The Solicitor-General rose to reply :—

It now became his duty to reply upon the evidence which had been brought before the Jury both by the plaintiff and defendant, as also to the able speech of the defendant. The defendant had thought proper to apologise for not having employed counsel in the case ; but no counsel, no matter how talented, could have exhibited so much eloquence and talent. He has unfolded his own views in a way which he was certain no barrister could have done for him ; he (Mr. P.) had not the presumption to think that he could compete with Dr. Lang. The learned Doctor informed you, that the reason why he dispensed with the assistance of counsel was, because the interests of religion were concerned. Now, he (Mr. Plunkett) could not but feel for his client, who, differing as he did from him in religious belief, had yet resolved to trust his case in his hands. Defendant had said that Protestants all agreed in some points ; but in none did they more agree, than in differing from the religion which he professed. In justice, however, to himself and his religion, which was between God and himself, he would take the liberty of denying the truth of the often-refuted statement, that Catholics are opposed to the spread of the Gospel. He went along with his Rev. client, and also with the defendant, in wishing heartily and sincerely the diffusion of the Gospel through the world. It was said in these articles, that these were the dark days of Popish ascendancy. God forbid that we should have any such ascendancy. He agreed with the defendant in wishing that there should be no ascendancy, save that of virtue and morality. It matters not to him what the religion of another is ; that is a question between him and his God. He would say in the words of the Catholic poet Dryden,

“ For modes of faith let zealous bigots fight,
His can't be wrong whose life is in the right.”

The defendant has told you in his powerful speech, that Threlkeld had no right to bring an action for libel. In reply, he would ask Dr. L., is a man, because he belongs to the sacred cloth, to be called a robber? Is he to be held up before the public to scorn and derision? He says, it is quite incongruous for a clergyman to bring an action for libel; but where is the incongruity? Is it not with him who makes the attack? A man who is insulted and is compelled, by the false rules of honour, to justify himself, is to be pitied; not the man who provokes him to do it. That is exactly the case here. Mr. Threlkeld has used every means in his power to avoid this. Dr. Lang says, why has he not proposed an arbitration? What arbitration could have satisfied Dr. Lang? and if the arbitrators declared the libels were not justified, would he have published in 'The Colonist' that they were so? No, he never would have done so. Why did he not treat Threlkeld like a brother? Threlkeld wrote his letter, smarting under wrongs sharper than any man had ever before suffered. Besides, although he is a minister, has he not the feelings of a man? Is he to be held up not only as a disgrace to his cloth, but as a public speculator? Could he do otherwise than take up the subject with all the warmth of an injured man? He wrote that letter as a private one, and never expected that it would have been published; yet Dr. Lang tells you, he thought he had done him ample justice by publishing his letter. In his introduction to his remarks on it, he picks out all the expressions which Mr. T. had, under the influence of excited feelings, applied to him. Was that done with a friendly feeling? Dr. Lang told you that another course than this was open to Mr. Threlkeld for redress. Does he mean that Mr. Threlkeld should have commenced a paper war? You have heard what a powerful speaker and also what a powerful writer Dr. Lang is; his talents are well known. And had Threlkeld ventured to ask a favour from 'The Gazette,' 'Herald,' 'Monitor,' or 'Australian' newspapers, and obtained liberty to write in their columns, what would have been the consequence? It would have called forth a rejoinder three or four columns in length from 'The Colonist.' Dr. Lang told you, that Mr. Threlkeld had before had recourse to the press; that he had thrown himself upon it, and should now have abided by it. But what was the fact? This pamphlet, upon which he relies with so much confidence, was not meant for circulation; it was not meant for sale; it was meant only to set his character right with the Directors. And could it be said, that if for convenience he had certain documents printed for the purpose of sending home, that any man would be justified in getting hold of his pamphlet, and holding him up to ridicule, merely because he had put it in print? The only excuse Dr.

Lang has made for libelling Mr. Threlkeld is, that he libelled others, and that Mr. T. came in for his share among good company. He denies the application of that part of the article to Mr. T. which speaks of the doffing of the apostolic coat; but you must take it in connexion with the rest of the article, with this catch, for example, from an old song,—

“The grant is an excellent *run*.”

What is meant by a run? It is not running after natives,—it is a run for cattle. No matter what may be the talent or the genius of Dr. L., he cannot get over the fact that this applies to Mr. T. He would call their attention to that passage which says, £600 per annum was spent for so many years, and that no man in his senses could expend such a sum without he either lacked conscience or common sense. After having repeated it over and over again, Dr. L. said he had nothing to retract; Threlkeld might take which he liked. Of the two alternatives, it certainly would be worse to lack conscience, than common sense. He lays great stress upon the items of expenditure he has put before you. These expenses commenced at Raiatea in the year 1824. But have the Society complained of these expenses? No. And is it for Dr. Lang to complain, after seven years have passed over? It mattered not when the expense was incurred; Threlkeld had a right to charge it. It would weary them too much if he were to go through the paragraphs word for word, which the Rev. Doctor read with so much emphasis; but he would call their attention to the 4th, which says, “It is truly lamentable to think what mischief has arisen through incompetent and untrustworthy individuals.” As to that word ‘untrustworthy,’ which Dr. Lang tells you merely means incompetency, and is not intended to impute moral delinquency, I will ask you, gentlemen, to exercise your own common sense, and say what could be the meaning of the writer, when he puts it in contradistinction to ‘incompetent?’ What would be the use of coupling them with the conjunction *and*, if they had both the same meaning? Would so classical a writer as Dr. Lang be guilty of such tautology? If you had an overseer whom you were going to discharge, a man who might be honest, but did not know his business, would you do him justice, if you said, “I discharge him, because he is an untrustworthy man?” No; you would say, that he was incompetent, that you had nothing to say against his moral character. If you did otherwise, the servant would not take the character. If he was fool enough to take it, what would be the consequence? Why, his new master would say, you are a rogue upon your own showing. All the eloquence of Cicero could not persuade any person but that the word meant a

moral imputation. The defendant stands convicted, upon his own confession, of calling the plaintiff an untrustworthy individual, or, in other words—a thief. Then the next part of the libel, that of “being liberal of other people’s goods,” following in the next sentence but one,—does it not imply an improper squandering of money which had been entrusted to him by the Deputation? As to the item of tobacco, which could not escape the philippic of the defendant, he cannot, he says, find any passage in Scripture to authorise its use. Why, certainly it is not to be found in Scripture. But I am sure that if the twelve apostles themselves came down amongst the Aborigines, and did not give them either trinkets or tobacco, they would not be able to get them to listen to their preaching; and I question whether they would even be allowed to remain amongst them for as brief a period as three days; for the defendant knows, that if they wished to make them useful, they must make them presents. It happened also that in that very neighbourhood the most vicious Blacks in the colony were to be found. Mr. Threlkeld anticipated, if left alone at the station, that he would have become a prey to the ill-disposed Blacks. He actually was plundered; the men were tried in this Court. As to the letter which had been produced, it was a matter exclusively between the Society and the Government, giving an excuse for relinquishing the grant the Government had made with so much liberality. This letter, in itself, shows, that the original fault rested with the Deputation,—two inexperienced men, with whose views the Society did not agree. The Directors say, “had we been consulted before it was begun, we would not have acceded to it.” This shows that the Deputation were ignorant of the resources of the Society, or they would have taken the sound and wise advice which Mr. Marsden gave them. But the Deputation did not limit Threlkeld, and he went upon the best of his judgment. It was the Deputation, therefore, who were in the wrong; and if he (T.) exceeded their finances, of the extent of which both he and they were ignorant, it was not Threlkeld’s fault. If it is any disgrace to receive £150 from the Treasury chest, it must be a double disgrace to receive twice as much. But when we see that the plaintiff for so many years carried on the Mission at his own expense, it was only creditable to the Government that they should pay him when he was out of the service of the London Society. Before he was employed by them, they must have made some inquiry respecting him, as being a man of morals, of honour, and integrity. It was upon the pledge given by the Deputation, that he involved himself in pecuniary embarrassment. Why, it is upon this very letter that General Darling, when he heard that the London Missionary Society had abandoned the grant altogether,

and that Threlkeld was no longer in their employment—it was then that he was appointed by the Government. Therefore, although this letter was given in evidence against Threlkeld for having spent so much money, we find it was actually upon its receipt, that he got the appointment. Threlkeld came here with the deputation, in August, 1824, and was not dismissed until September, 1827; therefore it will be seen, that he has been longer in the employment than Dr. Lang would have you to believe; he says only two years and a half, whereas it is upwards of three years. Another charge against him, is that of “sowing discord among brethren.” You will, I am sure, expect strong proof of the justification to that effect. But have you a particle of proof? A witness has been put into the box to prove that he was sowing discord, and thus prevented Dr. Lang from establishing a school for the benefit of the Missionaries’ children; but have you heard any evidence to prove that fact? On the contrary, the evidence is all the other way. No doubt, Dr. Lang may have heard of it; but is that a justification to any man, to hold another up to his brethren as a person of such a character? I do not mean to say Dr. Lang has not been informed of it; but it was highly imprudent and improper to designate him in his sacred character as a person wishing to sow discord. But Dr. Lang says, he has an admission in Threlkeld’s own letter to that effect. Threlkeld says, that he never saw nor heard of any plan for such a school, and therefore could not have opposed it. He adds, I may have said that Dr. Lang was not a proper person to establish a school for such a purpose. That is the only expression that he can lay hold of. It is very possible that Threlkeld might have spoken to other missionaries, and, when talking about their own business, they might talk casually on the other. All these expressions, however, are contained in a private letter, which is the same as from one brother to another, and would never have seen the light, had it not been for Dr. Lang himself publishing it. Dr. Lang now says, he disclaims imputing dishonest motives to Mr. Threlkeld; but he must have blindfolded himself not to see what effect his statements would have before the world; he must be very fond of the emanations of his own pen, ere he can believe them to be so harmless. If Threlkeld had interfered with the Scotch Church, or the Presbyterian Ministers, why, Dr. Lang would have been up in arms, and he has a press of his own to defend himself. He says, he would not have brought an action; but if he had not ‘The Colonist’ at his back, we would have him here making a speech as long as that we heard yesterday. If I could make such a speech for my client, I would imitate it now; but I must leave

it to you to imagine what I should have said. The speech of Dr. Lang was so long, so able, and so powerful, I cannot attempt to follow him in the course of it. I know the disadvantage I labour under in following him so far as I have gone; however, he derived an advantage from being allowed to travel out of the direct course, so as to make an impression upon the jury, which counsel are not allowed to do. He would bring his remarks to a conclusion. We have stated in our declaration, that we were held up as a person unfit to be a Missionary—held up as a counterfeit that had doffed our cloak, in order to get under the broad banners of episcopacy. We are also charged with being a sheep and cattle breeder. I ask, has the defendant proved any of these? What right has he, therefore, to claim a verdict? He has said repeatedly, that he is willing to make reparation, if he is wrong; he must therefore bear with the consequences. This action was first brought against the editor of the paper containing the libellous articles; but defendant came forward and avowed himself the author. The boasted Freedom of the Press, therefore, Dr. Lang cannot claim; he is not the editor; but even if he was, he ought to have gone to Threlkeld as a friend, as a brother. The Freedom of the Press can never be so abused as to allow any man to hold another up to ridicule and contempt. I am sure you will give the whole amount of damages laid in the declaration; and even that will be for my client a poor compensation. I will now say no more, but will be disappointed indeed if you do not give the whole damages laid in the declaration.

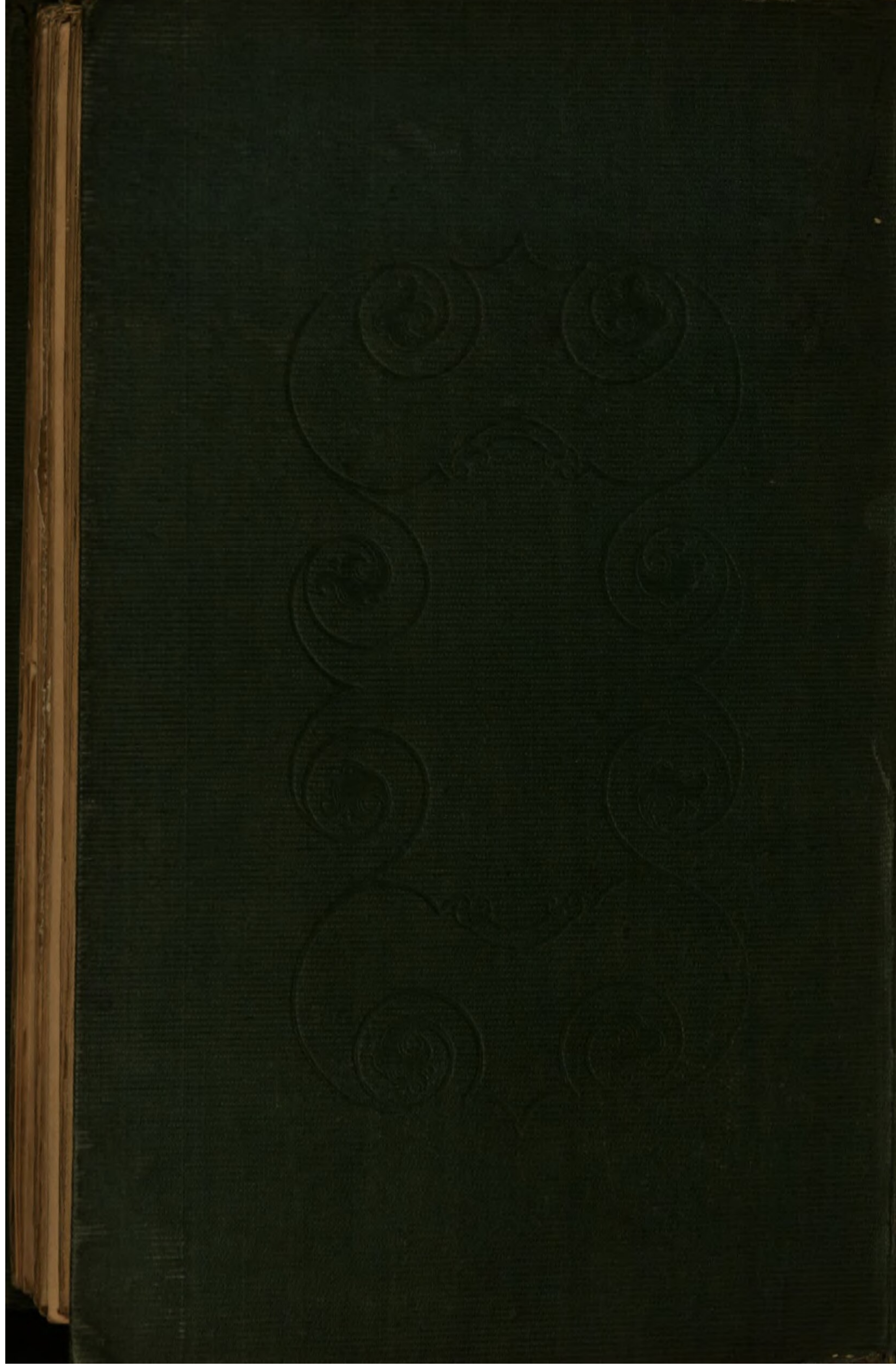
His Honour Judge Burton then summed up the evidence at considerable length; observing very feelingly on the peculiarity of the case, and expressing his sincere regret that it should ever have come into Court at all, intimating at the same time his own impression that it would injure the cause of our common Christianity.

The Jury then retired, but returned to Court in about half an hour, stating their inability to come to a decision, and requesting that a juror might be withdrawn. His Honour having informed them, however, that he had no authority to accede to such a proposal, they retired a second time.

During their absence, His Honour having suggested to the parties that they should withdraw a juror, and leave the matter for his decision, the defendant expressed his entire willingness to do so, and observed that he had no intention whatever to impute moral delinquency to the plaintiff. The plaintiff, however, having refused to accede to this arrangement unconditionally, it was agreed to leave the case in the hands

of the jury. After having been absent about an hour and a half, the jury again returned to Court, and asked His Honour whether they could give such a verdict as would leave each of the parties to pay his own costs; such being the arrangement which they had conceived to be equitable in the case. His Honour, however, having told them that no such verdict could be received, a verdict was given for the plaintiff: damages, *One Farthing*.

THE END.



Lang, John D.

An historical and statistica account of New South Wales, both as a penal
settlement and as a British colony in two volumes

Bd.: 2

London 1837

H.as. 2134-2

urn:nbn:de:bvb:12-bsb10433569-8